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ABATEMENT OF ELECTION CONTESTS. See "Elections of Representatives."

ABBOTT.

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The Senate election case of Joseph C. Abbott in the Forty-eighth Congress. Volume **I**, section **463**.

The Texas election case of *Kearby v. Abbott* in the Fifty-fourth Congress. Volume **II**, section **1076**.

ABSENCE.

- (1) **Power to compel attendance of Members.**
- (2) **Arrest of Members for.**
- (3) **Arraignment of Members on succeeding day.**
- (4) **Payment of fines and fees by Members.**
- (5) **Excuses of Members and leaves of absence during call.**
- (6) **Pairing of absent Members.**
- (7) **Revoking leaves of absence during call.**
- (8) **Dispensing with call and interruption of.**
- (9) **House grants leave of to Members.**

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- (10) **On duty of House.**
- (11) **Deductions of Member's salaries for.**
- (12) **Of the speaker.**
- (13) **Of the Vice President or Presiding Officer of the Senate.**
- (14) **Of the Clerk.**
- (15) **Of the Sergeant at Arms.**
- (16) **Of chairmen of committees.**
- (17) **Of Members as related to duties.**
- (18) **Of managers of an impeachment.**
- (19) **Of managers of conference.**
- (20) **In general.**

(1) Power to Compel Attendance of Members.

A smaller number than a quorum may adjourn from day to day and compel the attendance of absent Members. Volume **IV**, section **2980**.

The constitutional power of the House to compel the attendance of absent Members is not confined to cases wherein there is a lack of a quorum. Volume **IV**, sections **2985–2987**.

It is always in order, the failure of a quorum being shown, to proceed to secure the attendance of absent Members. Volume **IV**, section **2988**.

The lack of a quorum being disclosed, in the absence of any motion the Speaker will issue warrants to bring in absent Members. Volume **VI**, section **680**.

In the absence of a quorum, fifteen members, including the Speaker, if there be one, are authorized to compel the attendance of absent Members. Volume **IV**, section **2982**.

There may be a call of the House with a Speaker pro tempore in the chair. Volume **IV**, section **2989**.

A call of the House is in order, both under the general parliamentary law and the Constitution. Volume **IV**, section **2981**.

Reference to proceedings in the Senate to compel attendance of absentees (footnote). Volume **IV**, section **2980**.

(2) Arrest of Members for.

The process of arresting absent Members under the new rule for a call of the House. Volume **IV**, section **3041**.

The process of arresting absent Members under a call of the House. Volume **VI**, section **690**.

Under the new rule for a call of the House a resolution of the House is not required to empower the Sergeant-at-Arms to bring in absentees. Volume **IV**, section **3049**.

Under the old rule for a call of the House an order of arrest for absent Members may be made after a single calling of the roll. Volume **IV**, sections **3015, 3016**.

A proposition to arrest Members absent without leave is in order during proceedings to secure a quorum. Volume **VI**, section **685**.

Form of resolution for directing the Sergeant-at-Arms to arrest absent Members (footnote). Volume **IV**, section **3018**.

Form of resolution for the arrest of Members absent without leave. Volume **VI**, sections **684, 686**.

Form of warrant for the arrest of absent Members under the old rule for a call of the House (footnote). Volume **IV**, section **2982**.

Form of warrant issued under the new rule for a call of the House (footnote). Volume **IV**, section **3041**.

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. Volume **IV**, section **3043**.

A proposition to arrest Members who absent themselves after answering on a call of the House is in order during continuance of the call. Volume **IV**, section **3018**.

A Member who appears and answers during a call of the House is not subject to arrest for absence. Volume **IV**, section **3019**.

ABSENCE—Continued.**(2) Arrest of Members for.—Continued.**

A motion directing the Speaker to issue his warrant for the arrest of absent Members being pending, a motion to dispense with further proceedings under the call was ruled out. Volume **IV**, section **3036**.

A Member under arrest for absence may not, when called on for an excuse, question the authority of the House. Volume **IV**, section **3023**.

A Member having escaped from arrest during a call of the House, it was held that he might not be brought back on the same warrant. Volume **IV**, section **3022**.

A Member complaining that he had been wrongfully arrested during a call of the House, the House ordered the Sergeant-at-Arms to investigate and amend the return of his writ. Volume **IV**, section **3021**.

As to the propriety of calling the roll a second time during a call of the House to ascertain who have absented themselves since the first call. Volume **IV**, section **3012**.

(3) Arraignment of Members on Succeeding Day.

A quorum appearing on a call, the House sometimes orders absent Members to be arraigned on the succeeding day. Volume **IV**, sections **3030, 3031**.

Less than a quorum may not order the arraignment of absent Members at a future meeting of the House. Volume **IV**, sections **3032–3035**.

During a call, but after the appearance of a quorum, penalties were once imposed which contemplated the future appearance of absent Members at the bar. Volume **IV**, section **3024**.

Under proceedings of a call of the House, and sometimes by less than a quorum, the House has made an order of arrest which continued beyond that day's session. Volume **IV**, sections **3025–3029**.

(4) Payment of Fines and Fees by Members.

Those present on a call of the House may prescribe a fine as the condition on which an arrested Member may be discharged. Volume **IV**, sections **3013, 3014**.

Instance wherein Members in custody on a call of the House were discharged on payment of fees. Volume **IV**, section **3025**.

The House once established a fine for absence (footnote). Volume **IV**, section **3011**.

(5) Excuses of Members and Leaves of Absence During Call.

After the roll has been called for excuses and the House has ordered the arrest of those who are excused, a motion to excuse an absentee is in order when he is brought to the bar. Volume **IV**, section **3012**.

While less than a quorum may excuse a Member from attendance at the time, they may not grant a leave of absence. Volume **IV**, section **3002**.

While the names of absentees are being called for excuses on a call of the House, neither a motion to excuse nor an incidental appeal is debatable. Volume **IV**, section **2999**.

(6) Pairing of Absent Members.

Following a long-established custom the pair clerks, unless otherwise instructed, ordinarily pair all Members absent and not voting. Volume **VIII**, sections **3086, 3092**.

General pairs may be arranged for Members desiring to be recorded as absent without leave, and it is customary for the pair clerks to arrange such pairs without specific authorization from Members. Volume **VIII**, section **3085**.

Members favoring the same side of the question having been paired without their authorization under the practice of pairing all Members known to be absent, permission was asked and secured for a correction of the Record in accordance with the facts. Volume **VIII**, section **3087**.

It frequently happens that on account of the large majority vote on the pending question the pair clerks are unable to secure regular pairs and are forced to pair Members favoring the same side of the question. For this reason some Members instruct the clerks not to pair them during their absence without explicit instructions. Volume **VIII**, section **3092**.

ABSENCE—Continued.**(7) Revoking Leaves of Absence During Call.**

A resolution revoking leaves of absence, being a proceeding to compel the attendance of absent Members, does not require a quorum for its adoption. Volume **IV**, sections **3003, 3004**.

A resolution revoking leaves of absence, directing absentees to attend, and dispensing with proceedings under an existing call, was held to have precedence of a simple motion to dispense with the call. Volume **IV**, section **3006**.

A resolution revoking leaves of absence and directing the Sergeant-at-Arms to telegraph for absent Members is in order pending a call of the House, although a quorum may have been disclosed. Volume **IV**, section **3005**.

(8) Dispensing With Call and Interruption of.

The motion to dispense with proceedings under a call is in order, although Members under arrest may not have had opportunity to make excuses. Volume **IV**, section **3039**.

A motion to dispense with proceedings under a call of the House is not in order pending a motion that the Sergeant-at-Arms take into custody absent Members. Volume **IV**, section **3029**.

A motion to dispense with proceedings under the call, having been once entertained, was ruled not to be in order again pending a motion for the arrest of absent Members. Volume **IV**, section **3037**.

A conference report may be presented during a call of the House if a quorum be present. Volume **V**, section **6456**.

(9) House Grants Leave of to Members.

Application for leave of absence is properly presented by filing with the clerk the printed form to be secured at the desk rather than by oral request from the floor. Volume **VI**, section **199**.

It is not in order to request leave of absence for colleagues from the floor. Volume **VI**, section **200**.

By usage of the House requests for leaves of absence and reports of the Committee on Enrolled Bills may be presented pending the announcement of the vote that the House adjourn. Volume **IV**, section **3151**.

Under a former rule a request for a leave of absence has been entertained as a privileged question. Volume **II**, sections **1146, 1147**.

Requests for leaves of absence are sometimes opposed and even refused. Volume **II**, sections **1143–1145**.

Instance wherein leave of absence was granted by motion made and carried. Volume **II**, section **1142**.

The Journal announces the return of a Member to whom leave of absence for the remainder of the session has been granted. Volume **IV**, section **2867**.

(10) On Duty of House.

The fact that a Member was absent on the service of the House does not justify the Speaker in submitting a request that his name be recorded after the yea and nay call is finished. Volume **V**, section **6073**.

Leave for a committee to sit during sessions of the House does not release its Members from liability to arrest during a call of the House. Volume **IV**, section **3020**.

(11) Deductions of Member's Salaries for.

The pay of a Member may be deducted on account of absence. Volume **II**, section **1153**.

The statutes provide for deductions by the Sergeant-at-Arms from the pay of a Member or Delegate who is absent from his seat without a sufficient excuse. Volume **II**, section **1150**.

ABSENCE—Continued.**(11) Deductions of Member's Salaries for—Continued.**

The statutes provide that a Member or Delegate withdrawing from his seat before the adjournment of a Congress shall suffer deductions from his compensation. Volume **II**, section **1149**. Instance wherein deductions were made from the salaries of Members because of absence (foot-note). Volume **IV**, section **3011**.

The House has by resolution directed the enforcement of the statute providing for deductions by the Sergeant-at-Arms from the pay of Members and Delegates absenting themselves without leave. Volume **IV**, section **30**.

The House has by resolution revoked all leaves of absence and directed the Sergeant-at-Arms to deduct from the salary of members compensation for days absent without leave. Volume **VI**, section **198**.

A quorum not being present, a resolution directing the enforcement of the statute relating to deductions from the pay of Members is not in order as a measure to compel the attendance of absentees. Volume **IV**, section **3011**.

It was held in 1894 that the act of the Sergeant-at-Arms in pursuance of the law for deductions of Members' salaries for absence might not be reviewed on the floor as a question of privilege. Volume **III**, section **2690**.

Instance wherein appropriations were made for salaries of Members withheld during absence in military service. Volume **VI**, section **61**.

(12) Of the Speaker.

In the absence of the Speaker the Clerk calls the House to order. Volume **II**, sections **1386–1389**. Volume **V**, section **272**.

In the absence of the Speaker, the House, unless it adjourn, elects a Speaker pro tempore for the day or part of the day. Volume **II**, sections **1386–1389**.

For an absence extending over a number of days it was considered expedient to elect a Speaker pro tempore. Volume **VI**, section **275**.

For an absence extending beyond the legislative day and not caused by illness, the Speaker may designate a Speaker pro tempore only with the consent of the House. Volume **II**, section **1381**.

A Speaker about to be absent sometimes obtains the consent of the House to name a Speaker pro tempore. Volume **II**, sections **1390–1393**.

The Speaker, about to be absent, asked the approval of the House of his designation of a Speaker pro tempore. Volume **VI**, sections **266, 277**.

In the earlier years of the House the absence of the Speaker caused adjournment and the postponement of the orders of the day. Volume **I**, section **179**.

An instance wherein the Clerk did not call the House to order in the absence of the Speaker. Volume **II**, section **1411**.

The Speaker being absent at adjournment sine die, the House transmitted to him a resolution of sympathy. Volume **VIII**, section **3513**.

(13) Of the Vice President or Presiding Officer of the Senate.

In the absence of the Vice President during the election of a President pro tempore of the Senate, a President pro tempore was designated to preside. Volume **VI**, section **281**.

The Vice President was authorized to name a Senator to preside in the absence of the President pro tempore. Volume **VI**, section **522**.

(14) Of the Clerk.

The Clerk desiring to be away, the House gave him leave of absence. Volume **I**, sections **246, 247**. In case of temporary absence or disability the Clerk designates a Clerk pro tempore. Volume **VI**, section **25**.

In the temporary absence of the Clerk the House has chosen a Clerk pro tempore. Volume **I**, section **248**.

ABSENCE—Continued.**(15) Of the Sergeant at Arms.**

In the absence of the Sergeant at Arms, the duties of his office are discharged by sworn deputies, and the Speaker issues directions as if he were present in person. Volume **VI**, section **679**.

(16) Of Chairmen of Committees.

In the temporary absence of the chairman the member next in rank in the order named in the election of the committee serves as acting chairman. Volume **VIII**, section **2201**.

Where not otherwise provided, committees meet at the call of the chairman, and in his absence or inability to serve, at the call of the ranking member acting under his authorization. Volume **VIII**, section **2214**.

In the temporary absence of the chairman the member next in rank acts as chairman without special authorization from the committee. Volume **VIII**, section **2204**.

Lack of authority to convene a committee in the absence of the chairman having prevented the consideration of legislation, a resolution directing the committee to meet at a designated time was held to involve a question of the privilege of the House. Volume **VI**, section **577**.

A committee scheduled to meet on stated days, when convened on such days with a quorum present, may proceed to the transaction of business regardless of the absence of the chairman. Volume **VIII**, section **2213**.

Where a committee has a fixed date of meeting, a quorum of the committee may convene on such date without call of the chairman and transact business regardless of his absence. Volume **VIII**, section **2214**.

(17) Of Members as Related to Duties.

A Member who was absent when a vote was taken may not move to reconsider. (Speaker overruled.) Volume **V**, section **5619**.

In the early days of the House was often particular that an absent Member should not be appointed or retained on a committee. Volume **IV**, sections **4485–4487**.

The absence of a manager of a conference causes a vacancy, which the Speaker fills by appointment. Volume **V**, section **6372**.

(18) Of Managers of an Impeachment.

The inability of a manager to attend a session of an impeachment trial is announced by his associates. Volume **III**, sections **2035, 2036**.

No question was made on an occasion during the Swayne trial when less than a quorum of the managers were in attendance. Volume **III**, sections **2035, 2036**.

(19) Of Managers of Conference.

The absence of a manager of a conference causes a vacancy, which the Speaker fills by appointment. Volume **VIII**, section **3228**.

(20) In General.

Bills relating to leaves of absence of officers and clerks of the Government have been considered by the several committees on expenditures. Volume **IV**, section **4319**.

By authority of the House the oath may be administered to a Member away from the House and by another than the Speaker. Volume **VI**, section **14**.

Where the oath has been administered away from the House and by another than the Speaker, the House has by resolution received and accepted the oath. Volume **VI**, section **14**.

Forms of resolutions authorizing and accepting oaths administered away from the House. Volume **VI**, section **14**.

An exceptional instance wherein the Senate authorized the administration of the oath to a Senator elect by deputy and outside the Senate Chamber. Volume **VI**, section **19**.

Statements in the Record that a member charged with absenteeism was thereby “defrauding the Government” were held to present a question of privilege. Volume **VI**, section **602**.

ABSENCE—Continued.**(20) In General—Continued.**

In the absence of a Member against whom resolutions of expulsion were offered, consideration of the resolution was postponed with notice that the Sergeant-at-Arms would be asked to deliver to the Member or his secretary a copy of the resolution with notice of its pending considerations. Volume **VI**, section **236**.

ACADEMIES.

Relations of the House and its Members to the Military and Naval academies. Volume **V**, section **7345**.

An amendment prohibiting counting of service as cadets at the Naval or Military Academies in computing service records of Army and Naval officers, thereby reducing longevity pay of such officers, was held to reduce the compensation of persons paid out of the Treasury of the United States and to come within the rule. Volume **VII**, section **1516**.

ACCOUNTABILITY.

The accountability of the officers of the House is within the jurisdiction of the Committee on Accounts. Volume **IV**, section **4329**.

The rule gives to the several committees on expenditures jurisdiction of the pay of officers, abolition of useless offices, and the economy and accountability of officers. Volume **IV**, section **4315**.

ACCOUNTANTS.

A committee of the House empowered and instructed to make an investigation was by resolution of the House authorized to employ counsel and accountants. Volume **VI**, section **394**.

ACCOUNTS.

- (1) **Committee on.—History of.**
- (2) **Committee on.—Privilege of.**
- (3) **Committee on.—Jurisdiction of.**
- (4) **Committee on.—Consideration of resolutions from.**
- (5) **Committee on.—Temporary.**
- (6) **Duties of officers of House as to.**
- (7) **Jurisdiction of various committees as to.**

(1) Committee on.—History of.

The creation and history of the Committee on Accounts, section 54 of Rule XI. Volume **IV**, section **4328**.

Recent history of the Committee on Accounts, section 36 of Rule XI. Volume **VIII**, section **2051**.

(2) Committee on.—Privilege of.

The Committees on Rules, Elections, Ways and Means, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing and Accounts may report at any time on certain matters. Volume **IV**, section **4621**.

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **VIII**, section **2251**.

The privilege of the Committee on Accounts is confined to resolutions making expenditures from the contingent fund. Volume **IV**, sections **4640–4643**.

The privilege of the Committee on Accounts to expenditures from the contingent fund. Volume **VIII**, sections **2251**, **2299**.

A resolution from the Committee on Accounts providing for payment from the contingent fund is privileged, although the House on the merits may decline to approve the expenditure. Volume **IV**, section **4644**.

ACCOUNTS—Continued.**(2) Committee on.—Privilege of—Continued.**

A resolution providing for the employment of a designated individual at a stated salary to be paid out of the contingent fund was held to be privileged when reported by the Committee on Accounts. Volume **VIII**, section **2303**.

A resolution providing additional compensation for employees of the House to be paid from the contingent fund, when reported by the Committee on Accounts, was held to come within the privilege given that committee to report at any time. Volume **VIII**, section **2305**.

In exercising the right to report at any time the Committee on Accounts may not include matters extraneous to its jurisdiction. Volume **VIII**, section **2301**.

A resolution from the Committee on Accounts to authorize an appropriation for extra compensation to an employee is not privileged. Volume **IV**, section **4645**.

A resolution from the Committee on Accounts, relating to management of the House restaurant, was not received as a matter of privilege. Volume **VIII**, section **2636**.

(3) Committee on.—Jurisdiction of.

The rule gives to the Committee on Accounts jurisdiction of subjects touching the expenditure of the contingent fund of the House, the auditing and settling of all accounts that may be charged therein by order of the House. Volume **IV**, section **4328**.

The statutes provide that payments shall be made from the contingent fund only when sanctioned by the Committee on Accounts. Volume **VII**, section **2055**.

Expenditures from the contingent fund, although payment on certificate of chairman of Disbursing Committee is authorized by resolution, are nevertheless subject to approval of the Committee on Accounts. Volume **VII**, section **2056**.

Authority of the Committee on Accounts and the accounting officers of the Treasury over the expenditure of the contingent fund of the House. Volume **V**, section **7236**.

A resolution enlarging the powers and increasing the duties of a standing committee through the employment of a clerk to be paid from the contingent fund was held not to be within the privilege given the Committee on Accounts to report at any time. Volume **VIII**, section **2304**.

Propositions limiting or enlarging the powers and discretion of officers of the House in the discharge of administrative duties are not within the jurisdiction of the Committee on Accounts and nullify the privilege of resolutions reported by that committee even though associated with expenditures from the contingent fund. Volume **VIII**, section **2301**.

Directions to the Postmaster of the House specifying the number of mail deliveries was held to destroy the privilege of a resolution reported by the Committee on Accounts. Volume **VIII**, section **2299**.

Legislative propositions relating to subjects within the jurisdiction of other committees are not privileged when reported by the Committee on Accounts because involving disbursements from the contingent fund. Volume **VIII**, section **2300**.

A resolution fixing salaries of House employees was held not privileged when reported by the Committee on Accounts. Volume **VIII**, section **2302**.

The fact that a resolution reported by the Committee on Accounts authorizes an expenditure from the contingent fund does not necessarily render it privileged. Volume **VIII**, section **2300**.

The Committee on Accounts has, on occasion, been designated as the committee through which the recommendations of the majority party should be presented in the House. Volume **VII**, section **2058**.

The accountability of the officers of the House is within the jurisdiction of the Committee on Accounts. Volume **IV**, section **4329**.

Resolutions pertaining to the service of the House are reported by the Committee on Accounts. Volume **VII**, section **2053**.

ACCOUNTS—Continued.**(3) Committee on.—Jurisdiction of—Continued.**

Propositions relating to the convenience of Members of the House, as the installation of elevators, were held to belong to the jurisdiction of the Committee on Accounts, and privileged for report at any time in connection with disbursements from the contingent fund. Volume **VIII**, section **2301**.

Subjects relating to the House restaurant and kitchen, formerly within the jurisdiction of the Committee on Public Buildings and Grounds, have been transferred by the House to the jurisdiction of the Committee on Accounts. Volume **VII**, section **2054**.

The employment of persons in the service of the House having been authorized, resolutions designating individuals to fill such positions are not necessarily reported by the Committee on Accounts. Volume **VII**, section **2057**.

The Committee on Accounts reserves the right to limit the franking privilege on telegrams and declines to authorize the franking of cablegrams. Volume **VI**, section **220**.

Duty of the Committee on Accounts to examine as to observance of the rule forbidding officers and employees of the House from being interested in claims. Volume **V**, section **7227**.

The House having passed a resolution from the Committee on Accounts authorizing the employment of a person, a provision for the salary is in order on an appropriations bill. Volume **IV**, section **3656**.

The Committee on Accounts are to inquire into the enforcement of the statutes relating to employees of the House, and are empowered to send for persons and papers. Volume **V**, section **7233**.

Authorization to appoint a clerk is a subject within the jurisdiction of the Committee on Accounts and not the Committee on Rules, and its inclusion by the latter committee in a resolution providing for an order of business renders the resolution ineligible for report under the rule giving that committee the right to report at any time. Volume **VIII**, section **2256**.

An annual clerkship of a committee is authorized by a resolution reported by the Committee on Accounts and agreed to by the House. Volume **IV**, section **4534**.

The Committee on Accounts recommends to the House resolutions authorizing and assigning clerks to committees. Volume **IV**, sections **4331**, **4332**.

Session clerks are assigned to committees by resolution reported from the Committee on Accounts and agreed to by the House. Volume **IV**, section **4535**.

Bills providing clerks for Members and Senators were reported by the Committee on Accounts. Volume **IV**, section **4334**.

The office of reporter of debates is created by resolution reported from the Committee on Accounts and agreed to by the House. Volume **V**, sections **6960**, **6961**.

Resolutions authorizing the employment of persons by the House are reported by the Committee on Accounts. Volume **IV**, section **4333**.

The assignment of committee and other rooms in the House wing, custody of documents, etc., have been considered by the Committee on Accounts. Volume **IV**, section **4330**.

A bill for the payment or adjudication of any private claims against the Government must be referred to one of these committees—Claims, War Claims, Private Land Claims, Pensions, Invalid Pensions, Accounts. Volume **IV**, section **4380**.

A bill for the payment or adjudication of any private claim against the Government must be referred to one of these committees: Invalid Pensions, Pensions, Claims, War Claims, Public Lands, Accounts. Volume **VII**, section **2129**.

Directions to the Clerk of the House to classify books and documents in the House library and dispose of any surplus in conjunction with the chairman of the Committee on the Disposition of Useless Executive Papers and the Librarian of Congress was held to be a subject not within the jurisdiction of the Committee on Accounts. Volume **VIII**, section **2301**.

ACCOUNTS—Continued.**(3) Committee on.—Jurisdiction of—Continued.**

The jurisdiction of the Committee on Accounts does not extend to the contingent fund of the Senate and a resolution providing for joint payment from the contingent funds of the two Houses was held not to be privileged for report at any time. Volume **VIII**, section **2306**.

(4) Committee on.—Consideration of Resolutions From.

Resolutions from the Committee on Accounts authorizing expenditures from the contingent funds do not, according to the later rulings, require consideration in Committee of the Whole. Volume **IV**, sections **4862–4867**.

Resolutions from the Committee on Accounts authorizing expenditures from the contingent fund do not require consideration in Committee of the Whole. Volume **VIII**, section **2415**.

Appropriations from the contingent fund reported by the Committee on Accounts are not subject to the point of order that the jurisdiction to report appropriations rests exclusively in the Committee on Appropriations. Volume **VII**, section **2052**.

Private bills and joint resolutions, and amendments thereto, carrying appropriations within the limits of the jurisdiction of the Committees on Invalid Pensions, Pensions, Claims, War Claims, Public Lands, and Accounts, do not fall within the rule forbidding consideration of items proposing appropriations in connection with bills reported by nonappropriating committees. Volume **VII**, section **2134**.

(5) Committee on.—Temporary.

The statutes provide for a temporary committee on accounts, to be appointed by the Speaker to serve through the recess following the expiration of a Congress. Volume **IV**, section **4335**.

A temporary Committee on Accounts, authorized by law, performs the functions of the committee during the time between the expiration of one Congress and the organization of the next. Volume **IV**, section **4328**.

As to the allowances for clerk hire to the chairman of the temporary Committee on Accounts. Volume **V**, section **7237**.

The chairman of the temporary Committee on Accounts is authorized to appoint and dismiss clerks or other employees of his committee. Volume **VIII**, section **2207**.

(6) Duties of Officers of House as to.

The Clerk keeps account of disbursement of the contingent funds and the stationery accounts of Members. Volume **I**, section **251**.

At the commencement and close of each session of Congress the Doorkeeper is required to make and submit to the House for examination by the Committee on Accounts an inventory of furniture, books, etc. Volume **I**, section **261**.

The Postmaster accounts for the Government property in his possession. Volume **I**, section **271**.

(7) Jurisdiction of Various Committees as to.

Claims of States against the United States and the adjustment of accounts between the States and the United States have been considered by the Judiciary Committee. Volume **IV**, section **4080**.

The Committee on Claims has shared in jurisdiction over public bills for adjusting accounts between the United States and the several States and Territories. Volume **IV**, section **4267**.

The examination of the accounts of the Departments proper, application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the several committees on expenditures. Volume **IV**, section **4315**.

ACCOUNTS—Continued.**(7) Jurisdiction of Various Committees as to—Continued.**

The examination of the accounts of the departments, independent establishments, and commission of the Government, proper application of public moneys, enforcement of payment of money due the Government, and economy and retrenchment generally are within the jurisdiction of the Committee on Expenditures in the Executive Departments. Volume **VII**, section **2041**.

Authorization of publications in connection with the service of the House is a subject belonging to the jurisdiction of the Committee on Printing and not the Committee on Accounts. Volume **VIII**, section **2300**.

ACCUSATION IN IMPEACHMENT.

Under the parliamentary law of impeachment the Commons, as grand inquest of the nation, and as accusers, become suitors of penal justice at the bar of the Lords. Volume **III**, section **2026**.

The Commons, in impeaching, usually pass a resolution containing a criminal charge against the accused, and direct a member to impeach him by oral accusation before the Lords. Volume **III**, section **2026**.

In the English usage the articles of impeachment are substituted for an indictment, and distinguished from it by less particularly of specification. Volume **III**, section **2117**.

According to the parliamentary law, the respondent, on accusation for misdemeanor, may answer the articles of impeachment by person, or by writing, or by attorney. Volume **VIII**, section **2120**.

Under the parliamentary law the Lords are the judges, and may not impeach or join in the accusation. Volume **III**, section **2056**.

ACCUSED.

- (1) **In trials at bar of the House.**
- (2) **In impeachments—Preliminary procedure.**
- (3) **In impeachments—As witness in preliminary examination.**
- (4) **In impeachments—Presentation of evidence in preliminary examination.**
- (5) **In impeachments—Ex parte preliminary examinations.**
- (6) **In impeachments—Counsel in preliminary investigation.**
- (7) **In impeachments—Representations to House in preliminary examination.**
- (8) **In impeachments—Custody and bail of.**
- (9) **In impeachments—Issue and return of writ of summons.**
- (10) **In impeachments—Called to appear.**
- (11) **In impeachments—Appearance.**
- (12) **In impeachments—Failure to appear.**
- (13) **In impeachments—Requests for time to prepare answer.**
- (14) **In impeachments—Method of presenting answer.**
- (15) **In impeachments—Form and substance of answer.**
- (16) **In impeachments—Answer not made.**
- (17) **In impeachments—Pleadings in demurrer.**
- (18) **In impeachments—Request for time to prepare for trial.**
- (19) **In impeachments—Attendance during trial.**
- (20) **In impeachments—Counsel of.**
- (21) **In impeachments—Witness for.**
- (22) **In impeachments—Effect of resignation of the office.**
- (23) **In impeachments—Judgment of the Senate.**
- (24) **In impeachments—In general.**

(1) In Trials at Bar of the House.

The House declined to release Samuel Houston on bail pending his trial by the House for contempt. Volume **II**, section **1618**.

ACCUSED—Continued.**(5) In Trials at Bar of the House—Continued**

In the case of John Anderson the accused and witnesses were examined at the bar of the House. Volume **II**, section **1606**.

The House permitted a person arraigned for contempt in 1795 to be represented before the House by counsel. Volume **II**, section **1601**.

(2) In Impeachments.—Preliminary Procedure.

Discussion of the proper mode of examination in an investigation with a view to impeachment. Volume **VIII**, section **2497**.

Form of memorial in which Judge Peck asked leave to state his case to the House. Volume **III**, section **2366**.

The Commons, in impeaching, usually pass a resolution containing a criminal charge against the accused, and direct a member to impeach him by oral accusation before the Lords. Volume **III**, section **2026**.

(3) In Impeachments.—As Witness in Preliminary Examination.

An opinion of the Judiciary Committee that a person under investigation with a view to impeachment may not be compelled to testify. Volume **III**, section **2514**.

At the investigation of 1892, Judge Boarman testified and was cross-examined before the committee. Volume **III**, section **2518**.

In the second investigation Judge Swayne testified on his own behalf and was cross-examined. Volume **III**, section **2471**.

In the investigation of Judge Ricks the respondent made a statement before the committee, and offered testimony in his behalf. Volume **III**, section **2520**.

In the investigation of 1857 the committee formally permitted Judge Watrous to file a written explanation and cross-examine witnesses in person or by counsel. Volume **III**, section **2497**.

The committee which ascertained questionable facts concerning the conduct of Secretary Belknap give him opportunity to explain, present witnesses, and cross-examine witnesses. Volume **III**, section **2445**.

Although Judge Swayne had been a voluntary witness before the House investigating committee, the Senate decided that the record of his testimony was prohibited by statute from use in the trial. Volume **III**, section **2270**.

Judge Boarman made a sworn statement or answer to the committee investigating his conduct in 1890, but did not testify. Volume **III**, section **2517**.

(4) In Impeachments.—Presentation of Evidence in Preliminary Examination.

In investigating the conduct of Judge Swayne both complainants and accused were permitted to introduce sworn testimony. Volume **III**, section **2470**.

The committee investigating Judge Watrous in 1857 appears to have formally permitted the accused to adduce testimony. Volume **III**, section **2497**.

In the investigation into the conduct of Judge Delahay he was permitted to present testimony. Volume **III**, section **2504**.

The Durell investigation was postponed in the Forty-second Congress because there was no time to permit Judge Durell to present testimony. Volume **III**, section **2507**.

The House declined to vote the impeachment of a judge who had not been heard before the investigating committee. Volume **III**, section **2511**.

In the investigation of Judge Peck the respondent cross-examined witnesses and addressed the committee. Volume **III**, section **2365**.

Judge Peck was not permitted to bring witnesses before the House committee, but cross-examined and filed a statement. Volume **III**, section **2366**.

(5) In Impeachments.—Ex parte Preliminary Examinations.

Discussion of precedents in relation to ex parte investigations with a view to impeachment, including the case of President Johnson. Volume **III**, section **2511**.

ACCUSED—Continued.**(5) In Impeachments.—Ex parte Preliminary Examinations.—Continued**

The second investigation of the conduct of President Johnson was ex parte. Volume **III**, section **2409**.

The investigation of the conduct of Judge Watrous in 1856 was conducted entirely ex parte, but the evidence was documentary and voluminous. Volume **III**, section **2496**.

In the Watrous investigation of 1860 the Judiciary Committee proceeded ex parte. Volume **III**, section **2499**.

(6) In Impeachments.—Counsel in Preliminary Investigation.

In the Seward investigation the respondent was represented by counsel and in person before the committee. Volume **III**, section **2514**.

In the investigation of Judge Blodgett both the complainants and the respondent were represented by counsel and produced testimony before the committee. Volume **III**, section **2516**.

In the investigation of the conduct of Judge Swayne the accused was present in person with counsel and argued his own case. Volume **III**, section **2470**.

In the investigation of 1852 Judge Watrous, the accused, was permitted to appear before the committee with counsel (footnote). Volume **III**, section **2495**.

It is for the House to say whether or not a person whose conduct is being investigated shall be allowed to appear before the committee by counsel. Volume **III**, section **2501**.

(7) In Impeachments.—Representations to House in Preliminary Examination.

Judge Peck, threatened with impeachment, was permitted to make to the House a written or oral argument. Volume **III**, section **2366**.

Judge Peck, threatened with impeachment, transmitted to the House a written argument, which was ordered to be read. Volume **III**, section **2366**.

In the Watrous investigation of 1857 the written explanation of the accused was printed as part of the report. Volume **III**, section **2497**.

After the report on his conduct, by a committee, Judge Watrous presented to the House a memorial embodying his defense, and it was ordered printed and laid on the table. Volume **III**, section **2497**.

(8) In Impeachments.—Custody and Bail of.

It was concluded by a Senate committee in Pickering's impeachment that the Senate has no power to take into custody the body of the accused. Volume **III**, section **2324**.

The Blount precedent for requiring bonds of the respondent was discussed adversely in the Peck case. Volume **III**, section **2367**.

Articles of impeachment being presented against a Senator, he was sequestered from his seat and was ordered to and did recognize for his appearance. Volume **III**, section **2118**.

Upon the impeachment of William Blount the Senate took him into custody and required bonds for his appearance, and informed the House thereof. Volume **III**, section **2296**.

Form of recognizance given by the respondent in an impeachment case for his appearance. Volume **III**, section **2118**.

In impeaching, the spokesman of the Commons asks that the delinquent be sequestered from his seat or committed, or that the peers take order for his appearance. Volume **III**, section **2026**.

A respondent in a case of impeachment for misdemeanor answers the articles before the Lords in such a state of liberty or restraint as he was in when the Commons complained of him. Volume **III**, section **2120**.

The accusation being of misdemeanor only, the respondent, under the English usage, does not answer the summons in custody, but the Lords may commit him until he finds sureties for his future appearance. Volume **III**, section **2120**.

Under the parliamentary law the respondent answers the summons in custody if the case be capital and the accusation be special, but not if it be general. Volume **III**, section **2120**.

ACCUSED—Continued.**(9) In Impeachments.—Issue and Return of Writ of Summons.**

Upon presentation of articles of impeachment and the organization of the Senate for the trial, a writ of summons is issued to the accused. Volume **III**, section **2127**.

The rule specifying the method of serving writs of summons to one accused in articles of impeachment. Volume **III**, section **2127**.

Form of resolution directing the issue of a writ of summons to Judge Humphrey, and fixing the return day. Volume **III**, section **2391**.

Provisions for rectification of an error in the process to secure attendance of respondent impeached by the summons. Volume **III**, section **2116**.

Form of summons prescribed to command appearance of respondent in the Pickering impeachment. Volume **III**, section **2329**.

A notification to the accused with a copy of the articles was deemed, in the Pickering impeachment, all the process necessary. Volume **III**, section **2324**.

Under the English practice a copy of the articles of impeachment is furnished to the respondent, and a day is fixed for his answer. Volume **III**, section **2120**.

Judge Humphreys, having failed to appear to answer the articles of impeachment, the court directed publication of a proclamation for him to appear. Volume **III**, section **2393**.

Form of proclamation for appearance of Judge Humphreys, and the proof thereof on the day set for appearance. Volume **III**, section **2394**.

At 12:30 p.m. on the day of the return of the summons against a person impeached, the Senate suspends business and the Secretary administers an oath to the returning officer. Volume **III**, section **2128**.

Ceremonies at the return of the summons to President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.

The respondent in the Peck impeachment communicated with the Senate as to the trial before articles had been presented. Volume **III**, section **2368**.

(10) In Impeachments.—Called to Appear.

In an impeachment case, the writ of summons being returned, the accused is called to appear and answer the articles. Volume **III**, section **2129**.

Form used by the Sergeant-at-Arms in calling President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.

Forms of oath, proclamation, and ceremonies at the calling of Judge Humphreys to appear and answer articles of impeachment. Volume **III**, section **2392**.

Form used by the Sergeant-at-Arms in calling Judge Peck to appear and answer the articles. Volume **III**, section **2371**.

(11) In Impeachments.—Appearance.

Mr. Justice Chase appeared to answer the articles of impeachment “in his own proper person.” Volume **III**, section **2349**.

Secretary Belknap appeared in person and with counsel to answer the articles of impeachment. Volume **III**, section **2452**.

Judge Peck appeared in person, attended by counsel, in answer to the writ of summons. Volume **III**, section **2371**.

In response to the writ of summons Judge Swayne entered appearance by this counsel. Volume **III**, section **2479**.

The person impeached may appear to answer the articles in person or by attorney, and a record is made as to the mode of appearance. Volume **III**, section **2129**.

The person impeached being called to appear and answer, a record is made as to appearance or nonappearance. Volume **III**, section **2129**.

Ceremonies at the appearance of Judge Peck in response to the writ of summons. Volume **III**, section **2371**.

ACCUSED—Continued.**(11) In Impeachments.—Appearance—Continued.**

Rules framed to govern ceremonies for appearance and answer of respondent in the Pickering impeachment. Volume **III**, section **2331**.

(12) In Impeachments.—Failure to Appear.

The House declined to instruct its managers as to further proceedings after William Blount had failed to appear and answer. Volume **III**, section **2308**.

Judge Humphreys not appearing, the case was continued, on motion of the managers, to enable the production of testimony. Volume **III**, section **2393**.

In the Pickering case the Senate committee concluded that after service of notice of the articles the Senate might proceed to trial whether respondent entered appearance or not. Volume **III**, section **2324**.

Under the parliamentary law if the party impeached at the bar of the Lords do not appear proclamations are issued giving him a day to appear. Volume **III**, section **2116**.

The Senate declined to order compulsory process to compel the appearance of Judge Pickering, but authorized a committee to examine the subject. Volume **III**, section **2322**.

The party impeached at the bar of the Lords not appearing, his goods may be arrested, and they may proceed. Volume **III**, section **2116**.

(13) In Impeachments.—Bequests for Time to Prepare Answer.

President Johnson by his own letter, and by a paper filed and signed by his counsel, asked forty days in which to prepare his answer. Volume **III**, section **2424**.

The managers urged, in view of Rule VIII, that President Johnson should answer on the return day, but were overruled. Volume **III**, section **2425**.

The Senate denied the motion of President Johnson's counsel that he be allowed forty days to answer, and granted ten days. Volume **III**, section **2425**.

The Senate deliberated in secret session on the application of President Johnson for time to prepare his answer. Volume **III**, section **2425**.

Mr. Justice Chase's application for time to answer was accompanied by a sworn statement of reasons. Volume **III**, section **2349**.

Mr. Justice Chase, on appearing, was permitted by the Vice-President, without objection of the Senate, to read a paper giving reasons for delaying his answer. Volume **III**, section **2349**.

Mr. Justice Chase, in asking time to prepare his answer to the articles, was called to order by the Vice-President for expressions used. Volume **III**, section **2349**.

Having appeared, Judge Peck asked time to prepare his answer, accompanying the request with an affidavit. Volume **III**, section **2371**.

The Senate declined to allow Judge Peck until the next session of Congress to file his answer, and set an earlier date. Volume **III**, section **2317**.

The question of jurisdiction being settled, the Senate gave Secretary Belknap ten days to answer on the merits. Volume **III**, section **2460**.

The Senate having assumed jurisdiction in the Belknap impeachment, declined to permit the respondent to plead further, but gave leave to answer the articles. Volume **III**, section **2123**.

(14) In Impeachments.—Method of Presenting Answer.

A Senate committee concluded in the Pickering impeachment that respondent might answer in person, by attorney, or not at all. Volume **III**, section **2324**.

The Senate granted the request of Mr. Justice Chase for permission to read his answer by himself and counsel. Volume **III**, section **2351**.

On his appearance to answer articles of impeachment Mr. Justice Chase was furnished with a chair. Volume **III**, section **2349**.

The rule providing for the putting in of the answer or plea in the Blount case. Volume **III**, section **2309**.

ACCUSED—Continued.**(14) In Impeachments.—Method of Presenting Answer—Continued.**

According to the parliamentary law, the respondent, on accusation for misdemeanor, may answer the articles of impeachment by person, or by writing, or by attorney. Volume **III**, section **2120**.

Under the parliamentary law of impeachments, the respondent, if a Lord, answers the summons in his place; if a commoner, at the bar. Volume **III**, section **2120**.

The rules in the Blunt case provided that respondent's answer should be communicated to the House of Representatives. Volume **III**, section **2309**.

The Senate ordered that an authenticated copy of the replication to President Johnson's answer be furnished to counsel of the respondent. Volume **III**, section **2432**.

(15) In Impeachments.—Form and Substance of Answer.

President Johnson's answer was signed by himself and counsel. Volume **III**, section **2428**.

Form of answer of Judge Peck in answer of the article of impeachment. Volume **III**, section **2374**.

Judge Peck in his plea declared that the acts charged were justified by the law of the land. Volume **III**, section **2374**.

The answer of Secretary Belknap demurred to the articles, alleging that he was not a civil officer of the United States when they were exhibited. Volume **III**, section **2453**.

Under the parliamentary law the answer of the respondent to impeachment need not observe great strictness of form. Volume **III**, section **2121**.

The respondent in an impeachment case may not, under the English law, plead in his answer a pardon as bar to the impeachment. Volume **III**, section **2121**.

(16) In Impeachments.—Answer Not Made.

The person accused in articles of impeachment failing to appear or to answer, the trial proceeds as on a plea of not guilty. Volume **III**, section **2127**.

The Senate provided that in default of answer from respondent on the merits, the Belknap trial should proceed as on a plea of not guilty. Volume **III**, section **2460**.

Judge Humphreys did not appear, in person or by attorney, to answer the articles of impeachment. Volume **III**, section **2393**.

Judge Humphreys having failed to appear in answer both to the summons and proclamation, the Presiding Officer announced that the managers might proceed in support of the articles. Volume **III**, section **2394**.

(17) In Impeachments.—Pleadings in Demurrer.

In the Belknap trial respondent declined to plead on the merits, but filed a protest against the continuance of the trial. Volume **III**, section **2461**.

A protest filed on behalf of respondent in the Belknap trial was signed by respondent and his counsel. Volume **III**, section **2461**.

The Senate, after debate and close division, permitted the filing of a protest by respondent in the Belknap trial. Volume **III**, section **2461**.

After hearing evidence as to the sanity of the accused, the court of impeachment notified the House of its readiness to hear the managers on the articles. Volume **III**, section **2335**.

The Senate decided that it had no jurisdiction to try an impeachment against William Blount, a Senator. Volume **III**, section **2318**.

(18) In Impeachments.—Request for Time to Prepare for Trial

The managers contended that President Johnson's request for time to prepare for trial should have been signed by himself and under oath. Volume **III**, section **2420**.

The answer of President Johnson having been read, his counsel offered a paper, signed by themselves, asking thirty days to prepare for trial. Volume **III**, section **2430**.

In granting to President Johnson time to prepare for trial the Senate intimated that there should be no delays after the beginning of the trial. Volume **III**, section **2430**.

ACCUSED—Continued.**(18) In Impeachments.—Request for Time to Prepare for Trial—Continued**

The managers opposed President Johnson's request for thirty days to prepare for trial, citing American and English precedents in argument. Volume **III**, section **2430**.

The Senate granted President Johnson a less time than his counsel asked to prepare for trial. Volume **III**, section **2430**.

(19) In Impeachments.—Attendance During Trial

Mr. Justice Chase, after attending during much of this trial, asked leave to retire, and was informed that the rules did not require his attendance. Volume **III**, section **2354**.

The respondent in the Belknap trial attended throughout until the time of rendering judgment. Volume **III**, section **2467**.

The respondent attended during the presentation of testimony and the arguments in the Swayne trial. Volume **III**, section **2483**.

(20) In Impeachments.—Counsel of.

The person accused in articles of impeachment may appear in person or by attorney. Volume **III**, section **2127**.

In English impeachments the respondent has counsel in accusation for misdemeanor, but not in capital cases. Volume **III**, section **2120**.

President Johnson entered his appearance by a letter addressed the Chief Justice and naming the counsel to appear for him. Volume **III**, section **2424**.

Form of announcing the appearance of counsel in the Belknap trial. Volume **III**, section **2453**.

Mr. Justice Chase introduced his counsel at the time he gave in his answer. Volume **III**, section **2351**.

In the Chase impeachment the respondent introduced additional counsel during the trial. Volume **III**, section **2354**.

Delays in the Johnson trial caused by illness of counsel for respondent were the occasion of protest on the part of the managers, and of action by the Senate. Volume **III**, section **2150**.

The managers were announced when they attended in the Senate for the trial of the President, but the counsel for respondent entered unannounced. Volume **III**, section **2427**.

Counsel for respondent were furnished a copy of the House's replication, by direction of the Presiding Officer. Volume **III**, section **2352**.

In the Pickering case, against the objection of the managers, the court determined to hear the counsel of respondent's son and evidence to show the insanity of the accused. Volume **III**, section **2333**.

The Presiding Officer held that counsel of the son of Judge Pickering, admitted to show the insanity of the accused, might not offer a motion to the court. Volume **III**, section **2334**.

(21) In Impeachments.—Witnesses for.

In the absence of representation of respondent in the Humphreys trial the Senators insisted on the rules of evidence. Volume **III**, section **2395**.

In the Humphreys trial, with no representatives for the respondent, witnesses were not cross-examined. Volume **III**, section **2395**.

No defense being made in the Pickering impeachment the two Senators from the State of the accused were examined at suggestion of the court. Volume **III**, section **2336**.

An approved number of witnesses for respondent in the Belknap trial were summoned at public expense. Volume **III**, section **2463**.

The Senate provided that subpoenas for respondent's witnesses in the Belknap trial should be issued on recommendation of a committee. Volume **III**, section **2463**.

During the Peck impeachment trial the respondent assisted his counsel in examining witnesses, in argument on incidental questions, etc. Volume **III**, section **2149**.

Mr. Justice Chase did not, after reading his reply, participate personally in the conduct of his case beyond waiving objection to one question. Volume **III**, section **2354**.

ACCUSED—Continued.**(22) In Impeachments.—Effect of Resignation of the Office.**

In the Blount case it was conceded that a person impeached might not avoid punishment by resignation. Volume **III**, section **2317**.

The committee reported a resolution for the impeachment of Secretary Belknap, although they had been informed of his resignation of the office. Volume **II**, section **244**.

The House, after review of English precedents, determined to impeach Secretary Belknap, although he had resigned. Volume **III**, section **2445**.

The Senate decided that it had jurisdiction to try the Belknap impeachment case, although the respondent had resigned the office. Volume **III**, section **2459**.

Judge Busteed having resigned, the House discontinued impeachment proceedings: Volume **III**, section **2512**.

Judge Durell having resigned, the House discontinued impeachment proceedings: Volume **III**, section **2509**.

Discussion of the effect of resignation of the officer upon impeachment proceedings: Volume **III**, section **2509**.

(23) In impeachments.—Judgment of the Senate.

If the respondent be convicted by a two-thirds vote on any article of impeachment, the Senate shall pronounce judgment. Volume **III**, section **2098**.

In final judgment the court found Judge Pickering guilty on all the articles and decreed his removal from office. Volume **III**, section **2341**.

The court of impeachment declined to postpone judgment until Judge Pickering could be brought personally before it for inspection as to sanity. Volume **III**, section **2337**.

The final question in the Pickering judgment was on the removal of the accused from office. Volume **III**, section **2339**.

The decision of the court on the articles in the Humphreys case was guilty as to a portion of the articles. Volume **III**, section **2396**.

Having found Judge Humphreys guilty, the court proceeded to pronounce judgment of removal and disqualification. Volume **III**, section **2397**.

The vote on the final question in the Belknap trial was affected conclusively by opinions as to the question of jurisdiction. Volume **III**, section **2467**.

Two-thirds not voting guilty, the Vice-President declared Judge Peck acquitted. Volume **III**, section **2383**.

Before announcing the adjournment voted by the Senate, the Chief Justice directed the Clerk to enter a judgment of acquittal of President Johnson. Volume **III**, section **2443**.

Form of acquittal entered in the Journal of the trial of President Johnson. Volume **III**, section **2443**.

(24) In Impeachments.—In General.

The articles of impeachment in the Belknap case were held sufficient, although attacked for not describing the respondent as one subject to impeachment. Volume **III**, section **2123**.

In the Chase case the House refused to strike from its replication certain words reflecting on the motives of the respondent, Volume **III**, section **2352**.

At the time of President Johnson's impeachment it was agreed that he should be described as President and not as acting President. Volume **III**, section **2415**.

The question of reimbursement of respondent for his expenses in an impeachment trial. Volume **III**, section **2024**.

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The Louisiana election case of Merchant and Herbert v. Acklen, in the forty-sixth Congress: Volume **I**, section **751**.

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The Louisiana election case of Acklen v. Darrall, in the Forty-fifth Congress. Volume **II**, section **924**

ACOUSTICS.

The rule gives to the Committee on Ventilation and Acoustics jurisdiction of subjects relating “to ventilation and acoustics.” Volume **IV**, section **4313**

The House has investigated the advantages of amplifying devices. A resolution relating to the installation of accessories proposed to improve the acoustics of the Hall of the House was entertained as privileged. Volume **VIII**, section **3633**.

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The acquisition, lease, or transfer of realty or other facilities for post office purposes are subjects within the jurisdiction of the Committee on the Post Office and Post Roads. Volume **VII**, section **1916**.

An appropriation for the acquisition of land contiguous to a national park and conforming to the original purpose for which the park was established was held in order as continuing a work in progress. Volume **VII**, section **1387**.

While estimates by Secretary of State of appropriations for acquisition of sites and buildings for diplomatic and consular establishments are provided for by law, the submission of such estimate is not a condition precedent to appropriation by Congress, and an appropriation for which no estimate had been made was held to be in order on an appropriation bill. Volume **VII**, section **1255**

The reappropriation of an unexpended balance for acquisition of land for aviation stations was held to be authorized by law. Volume **VII**, section **1272**

ACQUITTAL IN AN IMPEACHMENT TRIAL.

If an impeachment is not sustained by a two-thirds vote on any article, a judgment of acquittal shall be entered. Volume **III**, section **2098**.

Before announcing the adjournment voted by the Senate, the Chief Justice directed the Clerk to enter a judgment of acquittal of President Johnson. Volume **III**, section **2443**.

Form of acquittal entered in the journal of the trial of President Johnson. Volume **III**, section **2443**.

Having announced the result of the voting in the Belknap case, the President pro tempore directed the entry of a judgment of acquittal. Volume **III**, section **2467**.

Two-thirds not voting guilty, the Vice-President declared Judge Peck acquitted. Volume **III**, section **2383**.

Two-thirds not having voted guilty on any article, the Presiding Officer declared Mr. Justice Chase acquitted. Volume **III**, section **2363**.

Judgment of acquittal entered in the Swayne case by direction of the Presiding Officer. Volume **III**, section **2485**.

The Senate announced to the House by message the acquittal of Judge Swayne. Volume **III**, section **2485**.

The President pro tempore announced the result of the vote on each article, and the acquittal of respondent on each. Volume **III**, section **2467**.

The Presiding Officer announced the result of the vote on each article of the Archbald impeachment and the conviction or acquittal of respondent on each. Volume **VI**, section **512**.

Two-thirds not having voted guilty on any article, the presiding officer declared Judge Louderback acquitted. Volume **VI**, section **524**.

ACTION.

The statutes provide for the defense of any person against whom an action is brought for acts done while an officer of either House in the discharge of his duty. Volume **I**, section **283**.

ACTS.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II**, section **1313**.

The effect of the repeal of a repealing act is regulated by statute. Volume **IV**, section **3389**.

Decisions as to the effect of the title in controlling the body of an act of Congress. Volume **IV**, section **3381**.

Summaries showing number of bills introduced, number of reports submitted by committees, number of laws enacted, and number of acts of Congress declared unconstitutional by the Supreme Court. Volume **VII**, section **1028**.

ADAIR, JOHN A. M., of Indiana, Chairman.

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ADAMS, GEORGE M., of Kentucky, Clerk.

Decisions on questions of order relating to—

Adjourn, motion to. Volume **I**, section **228**.

Credentials. Volume **I**, sections **41–43, 47, 48, 50, 51, 60**.

Election of Speaker. Volume **I**, sections **22, 216**.

Privilege. Volume **I**, section **214**.

ADAMS, JOHN QUINCY, of Massachusetts, Chairman.

Decisions on questions of order relating to—

Lay on the table, motion to. Volume **V**, section **5435**.

Protests. Volume **IV**, section **2803**.

Reconsider, motion to. Volume **V**, sections **5609, 5615**.

Yeas and nays. Volume **V**, section **6012**.

For his oration in memory of Lafayette Mr. John Quincy Adams received the thanks of Congress. Volume **V**, section **7219**.

In 1822 Mr. John Quincy Adams refused to vote on the resolution censuring Mr. Stanberry, of Ohio. Volume **II**, section **1248**.

The attempt to censure John Quincy Adams for presentation of a petition alleged to be treasonable. Volume **II**, section **1255**.

Later funeral ceremonies, including the elaborate observances at the burial of John Quincy Adams. Volume **V**, section **7148**.

ADDICKS.

The Senate election case of Addicks v. Kenney from Delaware in the Fifty-fourth Congress. Volume **I**, section **633**.

Address. *See* Statement; Speech.

ADDRESSES.

The Speaker signs all acts, addresses, writs, warrants, and subpoenas. Volume **II**, section **1313**.

In early years the President made a speech to the Congress, and the House attended the Speaker in presenting the address in reply. Volume **II**, section **1139**.

In response to the President's annual speech the Speaker, attended by the House, used to deliver an address. Volume **V**, section **6629**.

In 1913 President Wilson resumed the custom of delivering messages in the form of an address before the joint session of the two Houses. **VIII**, section **3333**.

ADDRESSES—Continued.

By concurrent action an invitation was extended to the President of the United States to address a joint session of the two Houses on the subject of the birth of George Washington. Volume **VIII**, section **3532**.

An instance wherein, owing to the inclemency of the weather, the President elect took the oath and delivered his inaugural address in the Senate Chamber. Volume **VI**, section **447**.

A joint rule formerly prescribed the method of preventing a joint address of the two Houses to the President. Volume **V**, section **6630**.

Summary of provisions of State constitutions relating to impeachment and removal by address. Volume **III**, section **2023**.

History of removal by address in England and the States as bearing on the nature of impeachable offenses on the part of a judge. Volume **III**, section **2013**.

Memorial addresses were published on the occasion of the death of John Quincy Adams in 1848. Volume **V**, section **7148**.

Form decided on by the two Houses for addressing the President of the United States. Volume **V**, section **6629** (footnote).

Women presiding in the House or in the Committee of the Whole are properly addressed as “Madam Speaker” and “Madam Chairman” respectively. Volume **VI**, section **284**.

ADHERE.

- (1) **Motion to.—When made.**
- (2) **Motion to.—Precedence of motion.**
- (3) **Motion to.—Receding after a vote to adhere.**
- (4) **Motion to.—Conference in relation to.**
- (5) **Motion to.—Loss of bills by.**

(1) Motion to.—When Made.

When both Houses have insisted, neither inclining to recede, it is in order to adhere, but in parliament adherence is not usually voted until there have been at least two conferences. Volume **V**, section **6163**.

In an exceptional instance, wherein the House had disagreed to a Senate amendment to a House bill, the Senate thereupon adhered at once to its amendment and then declined the request of the House for a conference. Volume **V**, section **6313**.

An instance of immediate adherence to a first disagreement. Volume **V**, section **6303**.

One House, after an amendment or disagreement by the other, may at once adhere, but this does not preclude the granting of the request of the other House for a conference. Volume **V**, sections **6241–6244**.

(2) Motion to.—Precedence of Motion.

The parliamentary law governing the precedence and effect of the motion to agree, disagree, recede, insist, and adhere. Volume **V**, section **6164**.

The motions to recede, insist, and adhere have precedence in the order named, without regard to the order in which they may be offered. Volume **V**, section **6324**.

The motion to recede has precedence of the motion to adhere. Volume **V**, section **6271**.

After the previous question has been moved on a motion to adhere, a motion to recede may not be made. Volume **V**, section **6310**.

(3) Motion to.—Receding After a Vote to Adhere.

Instances where after one House had adhered the other receded. Volume **V**, sections **6247–6250**.

The managers of a conference having reported inability to agree, the House voted to adhere to its disagreement to the Senate amendment, whereupon the Senate receded from it. Volume **V**, section **6312**.

The House may recede from its adherence. Volume **V**, section **6252**.

The House having adhered to its disagreement to a Senate amendment, and the Senate having insisted, the House receded from its adherence and agreed to the amendment with an amendment. Volume **V**, section **6401**.

ADHERE—Continued.**(3) Motion to.—Receding After a Vote to Adhere—Continued.**

One House having adhered may recede from its adherence and agree to a conference asked by the other. Volume **V**, section **6251**.

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. Volume **V**, section **6253**.

The House may recede from its disagreement to certain amendments and adhere to it as to others. Volume **V**, section **6229**.

One House having adhered may, at the next stage, vote to further adhere. Volume **V**, section **6251**.

(4) Motion to.—Conference in Relation to.

A vote to adhere may not be accompanied by a request for a conference. Volume **V**, section **6303**.

A vote to adhere may not be accompanied by a request for a conference. Volume **VIII**, section **3208**.

After an adherence by both Houses a conference is not asked. Volume **V**, section **6308**.

The House that votes to adhere does not ask a conference, but the other House may. Volume **V**, section **6308**.

An instance wherein the Senate disregarded a request for a conference and voted to adhere. Volume **V**, section **6315**.

Conferences are not asked after an adherence by both Houses, but have often been asked and granted where only one House has adhered. Volume **V**, sections **6241–6244**.

Instance of a request for a conference by one House after the other had adhered. Volume **V**, section **6313**.

After one House has adhered the other may recede or ask a conference, which may be agreed to by the adhering House. Volume **V**, sections **6304–6307**.

The House having adhered, the Senate insisted and asked a conference, whereupon the House insisted on its adherence and agreed to the conference. Volume **V**, section **6325**.

The Senate having adhered to their amendment to a House bill, the House decided to ask a conference without the preliminary of voting to insist. Volume **V**, section **6311**.

The Senate, after careful examination, thought it respectful to grant the House's request for a conference, although the Senate had already adhered. Volume **V**, section **6311**.

Where one House votes to adhere to its attitude of disagreement, the other may vote to insist and ask a conference. Volume **V**, section **6308**.

One House having adhered, the other may further insist and ask a conference. Volume **V**, sections **6245, 6246**.

After an adherence by one House the other has asked a conference both with and without having voted to insist. Volume **V**, section **6242, 6244**.

The Senate having disagreed to an amendment of the House, and the House having insisted, the Senate adhered, whereupon the House, for the first time asked a conference, which was granted. Volume **V**, section **6309**.

When one House asks a conference after the other House has adhered, the adhering House may agree to the conference without reconsidering from its vote to adhere. Volume **V**, section **6310**.

The Senate having asked "a full and free conference" on the difference as to all of its amendments to a bill, the House ignoring this request, adhered as to two amendments, agreed to a third, and further insisted and asked a conference as to the reminder, which conference was granted. Volume **V**, section **6401**.

(5) Motion to.—Loss of Bills by.

An adherence by both Houses to disagreement over amendments causes a bill to fail. Volume **V**, section **6163**.

In many instances bill have been lost by the adherence of both Houses, sometimes in earlier days, when no effort at adjustment by conference had been made. Volume **V**, sections **6233–6240**.

ADHERE—Continued.**(5) Motion to.—Loss of Bills by**—Continued.

Instances of the loss of bills by the adherence of both Houses to attitudes of disagreement over amendments. Volume **V**, section **6313**.

Bills on which one House had adhered have been lost by the expiration of the Congress, even while the roll was being called on a motion to recede that might have passed the bill. Volume **V**, sections **6230–6232**.

Instance where a House bill returned with Senate amendments adhered to was postponed definitely. Volume **V**, section **6200**.

Instance of the loss of an appropriation bill through adherence of both Houses to their attitudes of disagreement over a section continuing legislation. Volume **V**, section **6235**.

ADJOURN, MOTION TO.

- (1) Nature and use of.—After hour for daily meeting is fixed.**
- (2) Nature and use of.—Before the hour for daily meeting is fixed.**
- (3) Nature and use of.—In general.**
- (4) Precedence of.—Under the rules.**
- (5) Nature and use of.—Where not in order.**
- (6) Repetition of.**
- (7) When a quorum fails.**
- (8) In relation to dilatory proceedings.**
- (10) During electoral count, impeachments, etc.**
- (11) Motion to fix the day to which the House shall adjourn.**
- (12) Voting on.**
- (13) In committees.**

(1) Nature and Use of.—After Hour for Daily Meeting is Fixed.

In the House the motion to adjourn may not be amended, as by specifying to a particular day. Volume **V**, section **5360**.

An amendment may not attach to the motion for the previous question or the motions to lay on the table and adjourn when used in the House. Volume **V**, section **5754**.

Before the adoption of rules a motion to adjourn until a given hour is not in order until a previous order fixing the hour of daily meeting has been rescinded. Volume **V**, section **5364**.

The hour of meeting of the Senate sitting on an impeachment trial being fixed, a motion to adjourn to a different hour is not in order. Volume **III**, section **2071**.

(2) Nature and Use of.—Before the Hour for Daily Meeting is Fixed.

When the House has not fixed an hour for daily meeting, the daily motion to adjourn fixes the hour. Volume **V**, sections **5362**, **5363**.

Before the House has fixed the hour of daily meeting, the motion providing for adjournment to a given hour is in order. Volume **V**, section **5363**.

(3) Nature and Use of.—In General.

The motion to adjourn is not debatable in the House. Volume **V**, section **5359**.

It is not in order to preface a motion to adjourn with preamble or argument touching reason or purpose of the proposed adjournment. Volume **VIII**, section **2647**.

In the Senate sitting for an impeachment trial no debate is in order pending a question of adjournment. Volume **III**, section **2073**.

Neither a motion nor an appeal may intervene between the motion to adjourn and the taking of the vote thereon. Volume **V**, section **5361**.

While an appeal or a motion to adjourn is always in order, a Member must first secure recognition in order to present either. Volume **VI**, section **293**.

The motion to adjourn is in order only in its simple form. Volume **V**, sections **5371**, **5372**. Volume **VIII**, section **2647**.

ADJOURN, MOTION TO—Continued.

(3) Nature and Use of.—Continued.

Before the reading of the journal a simple motion to adjourn is in order; but a motion to fix the day to which the House shall adjourn, being the transaction of business, is not in order. Volume **IV**, section **2757**.

The Speaker pro tempore whom the House had just elected not being present, the Clerk held that the motion to adjourn was not business, and under the circumstances was the only motion in order. Volume **I**, section **228**.

While neither House may adjourn for more than three days during a session of congress without the consent of the other, either may adjourn ad libitum with the consent of the other House. Volume **VIII**, section **3363**.

The Committee of the Whole having risen to report proceedings incident to securing a quorum the Speaker declined to entertain a motion to adjourn. Volume **VIII**, section **2436**.

When the House has sat to the limit of the constitutional term of the Congress, a motion to adjourn may be put and carried, or the Speaker may declare the adjournment sine die without motion. Volume **V**, sections **6711–6713**.

When the House adjourns sine die at an hour before the expiration of the constitutional term of the Congress, it does so by a simple motion, made and carried without concurrent action of the Senate. Volume **V**, section **6710**.

The motions to reconsider, for the previous question, and to adjourn are not in order in Committee of the Whole. Volume **IV**, section **4716**.

(4) Precedence of.—Under the Rules.

The rules of the House give the motion to adjourn the place of highest privilege when a question is under debate. Volume **V**, section **5359**.

The motions to adjourn, lay on the table, and for the previous question are not debatable, and have precedence in the order named. Volume **V**, section **5301**.

Discussion of the relative privilege of the motions to adjourn, to lay on the table and for the previous question. Volume **VIII**, section **2651**.

Questions of privilege have precedence of all motions except the motion to adjourn. Volume **III**, section **2521**.

A motion to reconsider takes precedence of all other questions except a conference report or a motion to adjourn. Volume **V**, section **5605**.

While the presentation of a conference report has precedence of a motion to adjourn, yet the motion to adjourn may be put and decided pending consideration thereof. Volume **V**, sections **6451–6453**.

The motion to adjourn was held to have precedence of a motion privileged under the Constitution. Volume **VIII**, section **2641**.

A motion to adjourn was held in order, although if carried the effect would have been to prevent for the session the consideration of a veto message of the President. Volume **IV**, section **3523**.

A motion to adjourn may be made pending the report from the Committee of the Whole. Volume **VIII**, section **2645**.

A motion to adjourn may be made after the yeas and nays are ordered and before the roll call has begun. Volume **V**, section **5366**.

The motion to adjourn takes precedence of a motion to dispense with further proceedings under a call of the House. Volume **VIII**, section **2643**.

The rule making the motions to adjourn, to fix the day to which the House shall adjourn, and for a recess in order at any time was dropped to prevent the continued use of these motions for purposes of obstruction. Volume **V**, section **6740**.

No question being under debate, and a motion to adjourn having been made, motions for a recess and to fix the day to which the House should adjourn were not entertained. Volume **V**, section **5302**.

ADJOURN, MOTION TO—Continued.**(4) Precedence of.—Under the Rules.—Continued.**

No question being under debate, a motion to fix the day to which the House should adjourn already made was held not to give way to a motion to adjourn. Volume **V**, section **5381**.

In the Johnson trial the Chief Justice held that the motion to adjourn took precedence of a motion to fix the day to which the Senate should adjourn. Volume **III**, section **2072**.

(5) Precedence of.—When Not in Order.

A Member may not make a motion to adjourn while another Member is in possession of the floor. Volume **V**, sections **5369**, **5370**. Volume **VIII**, section **2646**.

While a motion to adjourn takes precedence of other motions, yet it may not be put while the House is voting on another motion or while a Member has the floor in debate. Volume **V**, section **5360**.

A motion to adjourn may not interrupt a call of the yeas and nays. Volume **V**, section **6053**.

When the House votes to admit a Member and the motion to reconsider is disposed of, the right to be sworn is complete and not to be deferred, even by a motion to adjourn. Volume **I**, section **622**.

Under the latest decision the motion to adjourn may not be made after the House has voted to go into Committee of the Whole and the Speaker has announced the result. Volume **IV**, sections **5367**, **5368**.

The question of consideration against a bill being decided in the affirmative on Calendar Wednesday, the House automatically resolves into the Committee of the Whole, and no intervening business, as the motion to adjourn or questions of privilege, are in order. Volume **VIII**, section **2446**.

The House having voted to resolve itself into committee of the Whole, the Chair declined to entertain a motion to adjourn, but did entertain an appeal from his decision. Volume **IV**, section **4728**.

A motion which was by the rules more highly privileged than the motion to adjourn was not entertained after an affirmative vote on a motion to adjourn. Volume **IV**, section **2954**.

(6) Repetition of.

There must be intervening business before a motion to adjourn may be repeated. Volume **V**, section **5373**.

A motion to adjourn may be repeated after debate, although no question may have been put or decided in the meantime. Volume **V**, section **5374**.

Ordering the yeas and nays is such intervening business as to justify the repetition of the motion to adjourn. Volume **V**, sections **5376**, **5377**.

A decision of the Chair on a question of order is such intervening business as permits the repetition of a motion to adjourn. Volume **V**, section **5378**.

The reception of a message from the Senate, the making of an announcement by a Member, and the submitting of a motion in relation thereto were held to constitute sufficient intervening business to permit a motion to adjourn to be repeated. Volume **V**, section **5375**.

(7) When a Quorum Fails.

A smaller number than a quorum may adjourn from day to day and compel the attendance of absent Members. Volume **IV**, section **2980**.

Lack of a quorum being disclosed, two motions only are in order—for a call of the House or to adjourn. Volume **IV**, section **2988**.

On the failure of a quorum no business is in order and no motion will be entertained except for a call for the House or to adjourn. Volume **VI**, section **680**.

A quorum not being present, no motion is in order but for a call of the House or to adjourn. Volume **IV**, section **2950**.

ADJOURN, MOTION TO—Continued.**(7) When a Quorum Fails—Continued.**

With the exception of the motion to adjourn, no motion is in order in the absence of a quorum except in furtherance of the effort to secure a quorum, and since a motion to withhold pay of absentees would not contribute to this result, such motion can not be entertained. Volume **VI**, section **682**.

The absent of a quorum having been disclosed, the only proceedings in order are the motions to adjourn or for a call of the House; and not even by unanimous consent may business proceed. Volume **IV**, section **2951**.

A motion to adjourn is in order when a quorum fails, notwithstanding any terms of an existing special order of the House. Volume **V**, section **5365**.

During proceedings incident to the lack of a quorum the motion to adjourn is in order while the House is dividing. Volume **VIII**, section **2644**.

In the absence of a quorum the motion to adjourn has precedence over the motion for a call of the House. Volume **VIII**, section **2642**.

Under the old rule for a call of the House a motion to adjourn is in order in the midst of a call of the roll for excuses. Volume **IV**, section **2998**.

A motion to adjourn may be made before the call of the roll under section **4** of Rule **XV**. Volume **IV**, section **3050**.

If a quorum fails to vote on the pending question and objection is made, an automatic roll call is still required after a motion to adjourn has been offered and rejected by a quorum vote. Volume **VI**, section **701**.

While a quorum is not required to adjourn, a point of no quorum on a negative vote on adjournment, if sustained, precipitates a call of the House under the rule. Volume **VI**, section **700**.

The Committee of the Whole having rise and reported that finding itself without a quorum the roll was called under the rule and a quorum had appeared, the Speaker declined to entertain a motion to adjourn, and the Committee resumed its sitting. Volume **VI**, section **673**.

(8) In Relation to Dilatory Proceedings.

Under certain circumstances the motions to reconsider and adjourn and the question of consideration have been held dilatory. Volume **V**, sections **5731–5733**.

The motion to adjourn has been ruled out when dilatory. Volume **VIII**, section **2813**.

Repetition of the motion to adjourn when apparently for purposes of obstruction has been held dilatory. Volume **VIII**, section **2814**.

A report from the Committee on Rules has a special and high privilege, and one motion to adjourn, but not other dilatory motion, may be entertained during its consideration. Volume **IV**, section **4621**.

A report from the Committee on Rules has a special and high privilege, and one motion to adjourn, but no other motion may be entertained during its consideration. Volume **VIII**, section **2260**.

Construction of the rule permitting one motion to adjourn and thereafter no other dilatory motion pending consideration of a report from the Committee on Rules. Volume **V**, sections **5740–5742**.

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. Volume **V**, section **5743**.

Pending a motion to suspend the rule, the Speaker may entertain one motion that the House adjourn, but thereafter not other motion may be made. Volume **VIII**, section **2823**.

When a quorum fails on a vote to second a motion to suspend the rules, a second motion to adjourn is not considered a dilatory motion within the prohibition of the rules. Volume **V**, sections **5745, 5746**.

ADJOURN, MOTION TO—Continued.**(8) In Relation to Dilatory Proceedings—Continued.**

A motion to suspend the rules having been entertained and one motion to adjourn having been voted on, another motion to adjourn may not be made unless the failure of a quorum be demonstrated. Volume **V**, section **5744**.

The Speaker, during the period when the rules made in order a motion to excuse a Member from voting, held the motion dilatory when applied to votes on adjourning, or for a call of the House, since it might be used to prevent adjourning or the procuring of a quorum. Volume **V**, sections **5709–5712**.

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for a recess, and appeals. Volume **IV**, sections **3210–3213**.

(9) Motion to Reconsider as Applied to.

A motion to reconsider a vote whereby the House has refused to adjourn is not in order. Volume **V**, sections **5620–5622**.

A motion to reconsider the vote whereby the House refused to fix a day to which the House should adjourn has been the subject of conflicting rulings. Volume **V**, sections **5623, 5624**.

(10) During Electoral Count, Impeachment, etc.

During the electoral count of 1869 the President pro tempore ruled out of order a motion that the joint meeting adjourn, and after the announcement of the vote the Senate retired without motion. Volume **III**, section **1949**.

The Senate, overruling the Chief Justice, decided that a motion to adjourn over was in order during the voting on the articles in the Johnson trial. Volume **III**, section **2441**.

The motion to adjourn to a certain time has been admitted in the Senate sitting for an impeachment trial. Volume **III**, section **2074**.

The hour of adjournment of the Senate, sitting for an impeachment trial, being fixed, a motion to adjourn at another time is not in order. Volume **VI**, section **472**.

During impeachment trials in the Senate the yeas and nays on adjournment are procured by one-fifth and not by rule. Volume **III**, section **2094**.

All orders and motions, except to adjourn, are reduced to writing when offered by Senators in impeachment trials. Volume **III**, section **2176**.

Instance of an adjournment to a new place. Volume **V**, section **7271**.

A Member who has yielded the floor for a motion to adjourn is entitled to prior recognition after that motion is decided in the negative. Volume **V**, section **5011**.

A committee of the Senate after investigation expressed the opinion that during a trial of impeachment the House could, with the consent of the Senate, adjourn and the Senate proceed with the trial. Volume **VI**, section **546**.

(11) Motion to Fix the Day to Which the House Shall Adjourn.

Under the custom of the House, which differs somewhat from the general parliamentary law, the motion to fix the day to which the House shall adjourn is not debatable. Volume **V**, sections **5379, 5380**.

Under the custom of the House, which differs somewhat from the general parliamentary law, the motion to fix the day to which the House shall adjourn is not debatable. Volume **VIII**, section **2648**.

When privileged, the motion to fix the day to which the House should adjourn was not debatable. Volume **V**, section **5305**.

As to the extent of debate under the general parliamentary law on a motion to fix the day to which the House shall adjourn. Volume **V**, sections **5379, 5380**.

The motion to fix the day to which the House shall adjourn may be amended. Volume **V**, section **5383**.

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V**, section **5754**.

ADJOURN, MOTION TO—Continued.**(11) Motion to Fix the Day to Which the House Shall Adjourn—Continued.**

The motion to fix the day to which the House shall adjourn may not be amended by substituting the day on which it would meet after agreeing to a simple motion to adjourn. Volume **V**, section **5382**.

A motion to adjourn is not of itself such intervening business as to allow the repetition of a motion to fix the day to which the House shall adjourn. Volume **V**, sections **5385**, **5386**.

When privileged, the motion to fix the day to which the House shall adjourn may be repeated after intervening business. Volume **V**, sections **5383**, **5384**.

The motions to fix the day to which the House shall adjourn and for a recess are no longer in the list of privileged motions. Volume **V**, section **5301**.

Under the former rule which made the motion to fix the day to which the House should adjourn “always in order” it was admitted during a division, i.e., before the result of a vote had been announced. Volume **V**, section **5387**.

When the motion to fix the day to which the House should adjourn had the highest privilege the consideration of a conference report was held to displace it. Volume **V**, section **6451**.

A motion fixing the hour as well as the day to which the House shall adjourn was held not privileged when the simple motion to fix the day was privileged. Volume **V**, section **5388**.

The motion to fix the day to which the House shall adjourn is not privileged against a demand for the regular order, but if no objection is made may be entertained and agreed to by the House. Volume **VIII**, section **2611**.

The House may adjourn for more than one day before the election of a Speaker. Volume **I**, section **89**.

The motion to adjourn to a certain time has been admitted in the Senate sitting for an impeachment trial. Volume **III**, section **2074**.

The absence of a quorum being disclosed, a motion to fix the day to which the House shall adjourn may not be entertained. Volume **IV**, section **2954**.

(12) Voting on.

At the end of a yea-and-nay vote on a motion to adjourn, pending a call of the House, Members appearing prior to the announcement of the vote were recorded without the qualification. Volume **VIII**, section **3152**.

During a call of the House a motion to adjourn is seconded by a majority ascertained “by actual count by the speaker,” and tellers may not be demanded. Volume **VI**, section **705**.

When a vote by yeas and nays shows no quorum the Chair takes cognizance of the fact, and, unless the House adjourns, orders a call under the rule without suggestion from the floor. Volume **VI**, section **679**.

(13) In Committees.

Contrary to the procedure of the House, the motion to adjourn from day to day is of high privilege in the committees. Volume **VIII**, section **2215**.

ADJOURNMENT.

- (1) **Constitutional provisions.**
- (2) **Of Congress for a recess.**
- (3) **Of Congress for a recess.—Approval of bills by the President.**
- (4) **Of Congress sine die.—The term and sessions.**
- (5) **Of Congress sine die.—Concurrent resolutions providing for.**
- (6) **Of Congress sine die.—Notification to the President.**
- (7) **Of Congress sine die.—House’s act in adjourning.**
- (8) **Of Congress sine die.—Thanks to the Speaker.**

ADJOURNMENT—Continued.

- (9) **Of Congress sine die.—In relation to continuance of rules and officers.**
- (10) **Of Congress sine die.—Withdrawal of Member before.**
- (11) **Of Congress sine die.—Effect on pending legislative business.**
- (12) **Of Congress sine die.—Signing and approval or disapproval of bills, messages, etc.**
- (13) **Of Congress sine die.—As related to existence and activity of committees.**
- (14) **Of Congress sine die.—As related to powers of investigating committees.**
- (15) **Of Congress sine die.—As related to House's power to imprison.**
- (16) **Of Congress sine die.—As related to impeachments.**
- (17) **Of the House.—For more than one day.**
- (18) **Of the House.—General practice.**
- (19) **Of the House.—Delayed, especially as related to Sunday.**
- (20) **Of the House.—Effect on pending business.**
- (21) **Of the House.—As a mark of respect.**
- (22) **During electoral count and election of President.**
- (23) **Of the Senate sitting in an impeachment trial.**
- (24) **As related to elections.**
- (25) **Of committees.**

(1) Constitutional Provisions.

Neither House during a session of Congress may, without the consent of the other, adjourn for more than three days or to another place. Volume **V**, section **6672**.

When the two Houses disagree as to adjournment, the President may adjourn them. Volume **V**, section **6672**.

Reference to discussion of the constitutional power of the President to adjourn Congress in a certain contingency (footnote). Volume **I**, section **12**.

The Executive has successfully opposed, as unconstitutional, an effort of the two Houses to fix by law the time of adjournment of Congress. Volume **V**, section **6688**.

The term "adjournment" as used in the constitutional provision does not refer exclusively to the final adjournment of the Congress, but includes the adjournment of an intermediate session as well. Volume **VII**, section **1115**.

(2) Of Congress for a Recess.

When the two Houses adjourn for more than three days, and not to or beyond the day fixed by Constitution or law for the next regular session to begin, the session is not thereby necessarily terminated. Volume **V**, sections **6676, 6677**.

Form of resolution for adjournment of Congress for a recess (footnote). Volume **IV**, section **4031**. In the earlier days of the Congress the holiday recess was not often taken. Volume **V**, sections **6678-6685**.

The two Houses do not notify the President when they are about to adjourn for the holiday recess (footnote). Volume **V**, section **6680**.

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privilege. Volume **V**, section **6701**.

The privilege of a resolution providing for an adjournment of more than three days is limited in its exercises. Volume **V**, section **6704**.

A concurrent resolution extending the time of a recess of Congress already determined on, is privileged. Volume **V**, section **6705**.

A simple resolution, providing for an adjournment of the House for more than three days, and for asking the consent of the Senate thereto, has been ruled to be privileged. Volume **V**, sections **6702, 6703**.

Privilege has been given to a resolution providing for a recess of Congress, the length of which might be fixed by the President or the presiding officers of the two Houses. Volume **V**, section **6706**.

ADJOURNMENT—Continued.**(2) Of Congress for a Recess—Continued.**

The two Houses may by concurrent resolution provide for an adjournment to a certain day, with a provision that if there be no quorum present on that day the session shall terminate. Volume **V**, section **6686**.

The process whereby the Fortieth Congress prolonged its first session by successive recesses, with a provision for adjournment sine die in a certain contingency. Volume **V**, section **6686**.

(3) Of Congress for a Recess.—Approval of Bills by the President.

The President, in the opinion of the Attorney-General, may sign a bill at any time within ten days after Congress has adjourned for a recess. Volume **IV**, section **6686**.

It may be regarded as settled that the President of the United States may effectively approve a bill when Congress is in recess for a specified time. Volume **IV**, section **3493**.

The Supreme Court affirmed the validity of an act presented to the President while Congress was sitting and signed by him within ten days, but after the Congress had adjourned for a recess. Volume **IV**, section **3495**.

President Johnson contended that he might not approve bills during a recess of Congress. Volume **IV**, sections **3493**, **3494**.

(4) Of Congress sine die.—The Term and Sessions.

The term of a Congress begins on the fourth of March of the old-numbered years and extends through two years. Volume **I**, section **3**.

The last session of a Congress may be adjourned before the expiration of the constitutional period (footnote). Volume **V**, section **6724**.

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. Volume **II**, section **1160**.

In the later Congress it has been established, both by declaration and practice, that a special session, whether convened by law or proclamation, ends with the constitutional day for annual meetings. Volume **V**, section **6693**.

Early Congresses having, by law, met on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I**, sections **6–9**.

Early Congresses, convened either by proclamation or law on a day earlier than the constitutional day, remained in continuous session to a time beyond that day. Volume **I**, sections **10–11**.

Instance wherein Congress in adjourning fixed by resolution the time of meeting of the next session on the constitutional day. Volume **I**, section **5**.

Instances wherein one session of Congress has followed another without appreciable interval. Volume **V**, sections **6690–6692**.

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V**, section **6693**.

The First Congress by law appointed for its second meeting a day later than the day fixed by the Constitution. Volume **I**, section **5**.

In 1797 the Congress assembled on the day constitutionally provided by law, although it had already held a session that year. Volume **I**, sections **6–9**.

The First Congress having met once in each of its two years of existence, a doubt existed as to whether or not it would legally meet again on the day appointed by the Constitution. Volume **I**, section **5**.

As to what constitutes a sine die adjournment of a legislative body. Volume **V**, section **6689**.

A recess of Congress is a real, not imaginary, time when it is not sitting in regular or extraordinary session. Volume **V**, section **6687**.

The two Houses have the power to provide that their presiding officers shall declare an adjournment sine die in case that after a recess a quorum shall be lacking in either House. Volume **V**, section **6686**.

Instances of laws fixing the time of annual meeting of Congress. Volume **I**, section **5**.

ADJOURNMENT—Continued.**(4) Of Congress sine die.—The Term and Sessions—Continue.**

The early laws fixing the time for the meeting of Congress specified the day, but not the hour. Volume **I**, section **6–9**.

(5) Of Congress sine die.—Concurrent Resolution Providing for.

A concurrent resolution fixing the day for final adjournment may be offered from the floor as privileged, even though a similar resolution may have been offered and considered. Volume **V**, section **6698**.

The privilege of a resolution fixing the time of final adjournment has been held to extend to a proposition to recall such a resolution from the Senate. Volume **V**, section **6689**.

A concurrent resolution fixing the time of a final adjournment is offered as a matter of constitutional privilege. Volume **VIII**, section **3365**.

A concurrent resolution providing for final adjournment of the two Houses is not presented to the President for approval. Volume **IV**, section **3482**.

Instance wherein a concurrent resolution fixing the time of final adjournment was rescinded by action of the two Houses. Volume **V**, section **6700**.

From of concurrent resolutions of the two Houses terminating a session of Congress. Volume **V**, section **6722**.

Forms of resolutions for adjournment of Congress sine die and for a recess (footnote). Volume **IV**, section **4031**.

The resolutions for final adjournment of Congress and the adjournment for a recess are within the jurisdiction of the Committee on Ways and Means. Volume **IV**, section **4031**.

A resolution providing for a sine die adjournment is not debatable. Volume **VIII**, section **3372**.

To a resolution rescinding an order for final adjournment an amendment assigning a new date was held to be germane. Volume **V**, section **5920**.

(6) Of Congress sine die.—Notification to the President.

At the adjournment of the last session of a Congress, even at the expiration of the constitutional term of the House, the two Houses send a joint committee to inform the President. Volume **V**, section **6724**.

Form of resolution authorizing a joint committee to notify the President of the approaching adjournment of Congress. Volume **V**, section **6723**.

The resolution notifying the President that the House is ready to adjourn sine die is usual, but has sometimes been omitted. Volume **V**, sections **6725**, **6726**.

Instance wherein the President of the United States was not notified by the expiration of a session of Congress. Volume **V**, section **6692**.

(7) Congress sine die.—House's Act in Adjourning.

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4, unless a motion is made and carried for an adjournment previous to that hour. Volume **V**, sections **6694–6697**.

The Speaker interrupts a roll call and declares the House adjourned sine die, without motion or vote of the House, when the hour of expiration of the term of the Congress arrives. Volume **V**, sections **6715–6718**.

When the House has sat to the limit of the constitutional term of the Congress the Speaker pronounces an adjournment sine die, without a motion being put or carried¹. Volume **V**, section **6709**.

When the House has sat to the limit of the constitutional term of the Congress, a motion to adjourn may be put and carried, or the Speaker may declare the adjournment sine die without motion. Volume **V**, sections **6711–6713**.

The hour for final adjournment arriving in the midst of a call of the roll, the Speaker directed the call to be suspended and declared the House adjourned sine die. Volume **V**, section **6325**.

ADJOURNMENT—Continued.**(7) Of Congress sine die.—House's Act in Adjourning—Continued.**

When the House adjourns sine die at an hour before the expiration of the constitutional term of the Congress, it does so by a simple motion made and carried, without concurrent action of the Senate. Volume **V**, sections **6709, 6710**.

The two Houses having fixed the time of adjournment sine die, the House may not adjourn finally before the arrival of the hour. Volume **V**, section **6714**.

When the House adjourns sine die in pursuance of a concurrent resolution of the two Houses, the adjournment is pronounced by the Speaker without motion from the floor. Volume **V**, sections **6707, 6708**.

At the time fixed for adjournment sine die the Speaker has interrupted a roll call, even when its continuance might have passed a resolution extending the session. Volume **V**, sections **6719, 6720**.

The hour fixed for adjournment sine die having arrived, the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. Volume **V**, section **6721**.

(8) Of Congress sine die.—Thanks to the Speaker.

Form of resolution thanking the Speaker at the adjournment of a Congress. Volume **V**, sections **7046–7048**. Volume **VIII**, sections **3509, 3513**.

References to divisions on the resolution of thanks to the Speaker (footnote). Volume **V**, section **7046**.

The Speaker being absent at adjournment sine die, the House transmitted to him a resolution of sympathy. Volume **VIII**, section **3513**.

(9) Of Congress sine die.—In Relation to Continuance of Rules and Officers.

The attempt to establish the theory that one House might prescribe rules for its successor, and the end thereof. Volume **I**, section **187**.

The theory that a House might make its rules binding on the succeeding House was at one time much discussed and even followed. Volume **V**, sections **6744–6747**.

For a time the rules provided for their own continuance in a new Congress, thus affording a rule for election of officers. Volume **V**, section **6743**.

Discussion as to whether or not the rules of one House remain the rules of the next House until changed. Volume **I**, section **210**.

The House has made rules which have been followed through other Congresses by the Executive Departments, although the authority for the rule has been considered doubtful. Volume **V**, sections **6752–6754**.

The elective officers other than the Speaker continue in office until their successors are chosen and qualified. Volume **I**, section **187**.

The House formerly provided by special rule that the Clerk should continue in office until another should be appointed. Volume **I**, section **187**.

The House, in a rule continuing the Clerk in office until the election of his successor, assumed to perpetuate its authority beyond its own existence. Volume **I**, section **235**.

Instance wherein the House failed to elect a Doorkeeper and Postmaster, the officers of the preceding House continuing to serve. Volume **I**, section **193**.

(10) Of Congress sine die.—Withdrawal of Member Before.

The statutes provide that a Member or Delegate withdrawing from his seat before the adjournment of a Congress shall suffer deductions from his compensation. Volume **II**, section **1149**.

(11) Of Congress sine die.—Effect on Pending Legislative Business.

All business pending and unfinished in the House or in committee, or awaiting concurrent action in the Senate at the end of a session, is resumed at the next session of the same Congress. Volume **V**, section **6727**.

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. Volume **V**, section **6286**.

ADJOURNMENT—Continued.**(11) Of Congress sine die.—Effect on Pending Legislative Business—Continued.**

According to the later practice the powers of a conference committee which has not reported do not expire by reason of the termination of a session of Congress, unless it be the last session: Volume **V**, sections **6260–6262**.

In the early practice an order of the House relating to disposition of business did not continue in the next session (footnote). Volume **IV**, section **3345**.

A motion to request a conference on disagreeing votes of the two Houses having been rejected, may not be repeated at the same stage of the question, even though a recess of Congress may have intervened. Volume **V**, section **6325**.

Bills on which one House had adhered have been lost by the expiration of the Congress, even while the roll was being called on a motion to recede that might have passed the bill. Volume **V**, sections **6230–6232**.

A conference report being made up, but not acted on at the expiration of a Congress, the bill is lost. Volume **V**, section **6309**.

A motion to reconsider, when once entered, may remain pending indefinitely, even until a succeeding session of the same Congress. Volume **V**, section **5684**.

As to the result when the Congress expires, leaving unacted on a motion to reconsider the vote whereby a resolution of the House is passed (footnote). Volume **V**, section **5704**.

It has been held that the Journal of the last day of a session may not be amended on the first day of the succeeding session, but this principle has not been followed uniformly. Volume **IV**, sections **2743, 2744**.

On the last legislative day of a session the Journal is sometimes read and approved as far as completed, but the practice is very unusual. Volume **IV**, section **2745**.

In a single instance, at the close of a session, the Journal was dated on the Calendar rather than the legislative day, in order to conform to the Senate records. Volume **IV**, section **2746**.

An instance where the failure of a quorum prevented action in the closing of a Congress. Volume **V**, section **6309**.

(12) Of Congress sine die.—Signing and Approval or Disapproval of Bills, Messages, etc.

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress, by adjournment, prevents its return. Volume **IV**, section **3520**.

An instance wherein the President signed a bill after the adjournment of Congress. Volume **IV**, section **3497**.

An instance where the President signed bills after Congress had adjourned for a recess. Volume **VII**, section **1087**.

The President, in the opinion of the Attorney General, has the power to approve bills after adjournment sine die of the Congress which has passed them, but within 10 days (Sundays excepted) after they have been presented to him. Volume **VII**, section **1088**.

A bill passed by both Houses during an interim session and presented to the President less than 10 days before adjournment of the session, but neither signed by the President nor returned without his signature, does not become a law. Volume **VII**, section **1115**.

A vetoed bill, not acted on before adjournment sine die because of the failure of a quorum, was acted on at the next session of the same Congress. Volume **IV**, section **3522**.

Enrolled bills pending at the close of a session were at the next session of the same Congress ordered to be treated as if no adjournment had taken place. Volume **IV**, sections **3487, 3488**.

Instance wherein a bill enrolled and signed by the presiding officers of the two Houses of one session was sent to the President and approved at the next session. Volume **IV**, section **3486**.

The reading of a message from the President having been presented in the closing hours of a session, it was read at the beginning of the next session of the same Congress. Volume **V**, section **6646**.

ADJOURNMENT—Continued.**(13) Of Congress sine die.—As Related to Existence and Activity of Committees.**

The House may empower a committee to sit during a recess which is within the constitutional session of the House. Volume **IV**, sections **4541–4543**.

Committees may, by the House, be empowered to sit during a recess that is within the term of the Congress, but not after the expiration of the term. Volume **IV**, section **4545**.

Instance wherein a committee, empowered to sit during recess, was directed to file its report with the Clerk of the House. Volume **III**, section **1741**.

The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress. Volume **IV**, section **4544**.

The two Houses, by concurrent resolution, have assumed to extend the powers of a joint committee beyond the adjournment of Congress, but later action seems to recognize a law as to the proper instrumentality for such purposes. Volume **IV**, sections **4437–4444**.

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. Volume **V**, section **7054**.

The House and Senate, being invited to attend the Jamestown Exposition, appointed a joint committee to attend at a date after the expiration of the term of the Congress. Volume **V**, section **7053**.

Instance wherein a joint rule provided a joint committee for the next Congress. Volume **IV**, section **4445**.

Committees are created commissioners by law if their functions are to extend beyond the term of the Congress. Volume **IV**, section **4545**.

For performing duties after the expiration of the term of a Congress commissions are created by law. Volume **IV**, section **4436**.

At the time of final adjournment of a Congress the clerks of committees are required to deliver to the Clerk of the House the bills and other papers referred to the committee. Volume **V**, section **7260**.

Reasons why the Speaker should not appoint to a vacancy on a committee during a recess of Congress (footnote). Volume **IV**, section **4460**.

There is no legal power to fill a vacancy in the clerkship of a committee after one Congress has expired and before the next House has been organized. Volume **IV**, section **4539**.

A select committee expires at the end of a session, unless continued by order of the House or revived by the reference of a matter to it by the House. Volume **IV**, sections **4394–4399**.

A joint select committee expires with the session. Volume **IV**, section **4420**.

The powers of the Joint Committee on the Library reside with the Senate portion in the recess after the expiration of a Congress. Volume **IV**, section **4337**.

The statutes provide for a temporary Committee of Accounts, to be appointed by the Speaker to serve through the recess following the expiration of a Congress. Volume **IV**, section **4335**.

(14) Of Congress sine die.—As Related to Powers of Investigating Committees.

An investigating committee being empowered to sit during recess, the Speaker was authorized and directed to sign subpoenas as during a session. Volume **III**, section **1753**.

The Speaker may be authorized and directed to issue subpoenas during a recess of Congress. Volume **III**, section **1806**.

The two Houses by concurrent resolution constituted a joint select committee of investigation, with power to send for persons and papers and sit during the recess of Congress. Volume **III**, sections **1763, 1764**.

By concurrent resolution the two Houses empowered the Vice-President and Speaker to sign subpoenas during a recess of Congress. Volume **III**, section **1763**.

A Senate committee, with authority to take testimony in the recess between two sessions of the same Congress, was yet unable to compel testimony from a recalcitrant witness. Volume **III**, section **1837**.

ADJOURNMENT—Continued.**(14) Of Congress sine die.—As Related to Powers of Investigating Committees—Continued.**

All evidence taken by a committee under order of the House and not reported to the House shall be delivered to the Clerk at the final adjournment of the Congress. Volume **V**, section **7260**.
 The House sometimes orders that testimony taken by an investigating committee be taken in charge by the Clerk, to be him delivered to the next House. Volume **III**, sections **1783**, **1784**.
 Instance wherein a special committee of investigation was authorized to sit after adjournment of the current Congress and report to the succeeding Congress. Volume **VI**, section **550**.
 Instance wherein time for filing report of a select committee was extended beyond life of the Congress in which appointed. Volume **VI**, section **382**.
 A committee of investigation was granted leave to file report with the Clerk of the House after adjournment of the Congress in which it was appointed. Volume **VI**, section **381**.
 Form of resolution authorizing continuance of an investigation beyond the expiration of the Congress in which instituted. Volume **VI**, section **386**.

(15) Of Congress sine die.—As Related to House's Power to Imprison.

A discussion as to the power of the House to imprison for a period after the adjournment of the session. Volume **II**, section **1629**.

(16) Of Congress sine die.—As Related to Impeachments.

It was decided in 1876 that an impeachment trial could only proceed when Congress was in session. Volume **III**, section **2006**.
 Under the parliamentary law an impeachment is not discontinued by the dissolution of parliament. Volume **III**, section **2005**.
 A recess of Congress intervened between the impeachment of Blount and the framing of the articles of impeachment. Volume **III**, section **229**.
 In the Blount impeachment the House, after discussion, empowered the committee 7 drawing the articles to sit during the recess of Congress. Volume **III**, section **2297**.
 The Senate in its writ of summons in the Blount impeachment fixed respondent's appearance at the next session of Congress. Volume **III**, section **2304**.
 The impeachment of Judge Pickering was presented in the Senate on the last day of the Seventh Congress. Volume **III**, section **2320**.
 At the beginning of the Eighth Congress the House continued the Pickering impeachment articles by appointing a committee to prepare articles. Volume **III**, section **2321**.
 The House decided to proceed in the Pickering impeachment, although the session and the Congress neared an end. Volume **III**, section **2319**.
 The articles of impeachment in the Chase case were reported just before the close of the first session of the Congress. Volume **III**, section **2343**.
 The proceedings in the Chase impeachment were continued after a recess of Congress, but in deference to the practice at that time the articles were recommitted for a new report. Volume **III**, section **2344**.
 A recess of Congress intervened between the filing of the answer and the presentation of the replication in the Peck trial. Volume **III**, section **2375**.
 The first attempt to impeach President Johnson continued over a recess of the Congress. Volume **III**, section **2407**.
 The Thirty-ninth Congress having expired during investigation of President Johnson's conduct, the House in the next Congress directed the Judiciary Committee to resume the investigation. Volume **III**, section **2401**.
 The House voted the impeachment of Judge Delahay at the end of one Congress, intending to present articles in the next. Volume **III**, section **2505**.
 The impeachment of Judge Swayne was postponed to the next session of Congress for further investigation. Volume **III**, section **2471**.

ADJOURNMENT—Continued.**(17) Of the House.—For More than One Day.**

The constitutional adjournment for not “more than three days” must take into the count either the day of adjourning or the day of meeting. Volume **V**, sections **6673**, **6674**.

Sunday is not taken into account in making the constitutional adjournment of “not more than three days.” Volume **V**, sections **6673**, **6674**.

The first instance in which one House adjourned for more than three days with the consent of the other. Volume **VIII**, section **3363**.

On request of the House, the Senate agreed to a resolution granting its consent to the adjournment of the House for a period in excess of three days. Volume **VIII**, section **3366**.

Adoption of a resolution requesting consent of the Senate to adjournment for more than three days was held not to confer privilege on a motion to adjourn to a certain day. Volume **VIII**, section **3366**.

A Senate resolution consenting to adjournment of the House for more than three days was refused consideration in the Senate on the ground that the House had not requested such consent. Volume **VIII**, section **3366**.

The House has by standing order provided that it should meet on two days only of each week instead of daily. Volume **V**, section **6675**.

The question as to whether or not the House, before its organization, may adjourn over for more than one day. Volume **I**, section **221**.

A resolution providing for the holiday recess adjournment and not reported by the committee on rules is without privilege. Volume **VIII**, section **3361**.

The House has adjourned for the holiday recess as of the legislative day. Volume **VIII**, section **3370**.

(18) Of the House.—General Practice.

When the hour previously fixed for an adjournment arrives, the Speaker declares the House adjourned. Volume **V**, section **6735**.

There is no adjournment until the Speaker pronounces it, and no Member should leave his place until the Speaker has passed on. Volume **V**, section **5360**.

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. Volume **V**, sections **6738**, **6739**.

The hour previously fixed for the adjournment of the House arriving while the Committee of the Whole is still in session, the chairman may direct the committee to rise and make his report as though the committee had risen on motion in the regular way. Volume **IV**, section **4785**.

The Committee of the Whole being in session at the hour fixed for the daily meeting of the House, it rests with the committee and not the chairman to determine whether or not it will rise. Volume **V**, sections **6736**, **6737**.

When, through an erroneous announcement of the vote, the House is declared adjourned and in fact disperses, when actually it had voted not to adjourn, the session when it next meets is nevertheless a new legislative day. Volume **V**, section **6734**.

The hour at which the House adjourns each day is entered on the Journal. Volume **V**, section **6740**.

The Doorkeeper is required to clear the floor fifteen minutes before the hour of meeting of all persons not privileged to remain, and keep it cleared until ten minutes after adjournment. Volume **V**, section **7295**.

By usage of the House requests for leaves of absence and reports of the Committee on enrolled Bills may be presented pending the announcement of the vote that the House adjourn. Volume **IV**, section **3151**.

In practice an adjournment before 5 p.m. on a Friday was held to vacate the evening session formerly provided for by the rule. Volume **IV**, section **3283**.

ADJOURNMENT—Continued.**(18) Of the House.—General Practice—Continued**

The House, while acting “in the House as in Committee of the Whole,” may refer to a committee, use the previous question, deal with disorder, take the yeas and nays, or adjourn. Volume **IV**, section **4923**.

Propositions relating to the hours of daily meeting, and the days on which the House shall sit, are considered by the Committee on Rules. Volume **V**, section **4325**.

Instance of an adjournment to a new place. Volume **V**, section **7271**.

(19) Of the House.—Delayed, Especially as Related to Sunday.

The legislative day continues until terminated by an adjournment, irrespective of the passage of calendar days. Volume **V**, sections **6738**, **6739**.

An adjournment does not necessarily take place at 12 p.m. Saturday, the House having power to continue in session on Sunday if it be so pleased. Volume **V**, sections **6728**, **6729**.

For many years the House has continued its session of Saturday into Sunday when under stress of business. Volume **V**, section **6728**.

The House has declined to affirm that it may not transact business on Sunday. Volume **V**, section **6730**.

Sunday may be a legislative day. Volume **V**, section **7246**.

Whether the House shall continue the legislative day into Sunday is not a question for the decision of the Speaker. Volume **V**, section **6695**.

The propriety of continuing a session into Sunday does not constitute a question of order for the Speaker, who may not adjourn the House against its will. Volume **V**, section **6728**.

(20) Of the House.—Effect on Pending Business.

A motion which was by the rules more highly privileged than the motion to adjourn was not entertained after an affirmative vote on a motion to adjourn. Volume **IV**, section **2954**.

When the House adjourns before voting on a proposition on which the previous question has been ordered, the question comes up the next day immediately after the reading of the Journal, superseding the order of business. Volume **V**, sections **5510–5517**.

In the absence of an order for the previous question, business undisposed of at adjournment comes up a unfinished business only on the next day when that class of business is again in order and not on the next legislative day. Volume **VII**, section **854**.

Business in order on Friday and on which the previous question was pending at adjournment on that day comes up as the unfinished business on the next legislative day. Volume **VIII**, section **2694**.

If the House adjourn without voting on a proposition on which the previous question has been ordered, the question comes up as unfinished business on the next legislative day, Wednesday excepted. Volume **VIII**, section **2691**.

When the House adjourns on Tuesday without voting on a proposition on which the previous question has been ordered, the question does not come up on Wednesday but on the following Thursday. Volume **VII**, section **890**.

When the House resolves into the Committee of the Whole House of the consideration of bills on the Private Calendar, a bill unfinished at adjournment on a previous day takes precedence of other bills on the Private Calendar. Volume **VII**, section **855**.

Under provisions of a special rule for the consideration of a bill, the Chairman of the Committee of the Whole declared the committee in session from day to day without the House having adjourned, recessed, or convened, and without the Speaker appearing in the chair. Volume **VIII**, section **3360**.

When the House, considering a bill as in the Committee of the Whole, by unanimous consent, adjourns with the bill still pending, that consent obtains when the bill is again taken up as the unfinished business. Volume **VIII**, section **2435**.

The House having adjourned after ordering the yeas and nays and before they could be taken, the order stands when the bill is again taken up for consideration. Volume **VIII**, section **3108**.

ADJOURNMENT—Continued.**(20) Of the House.—Effect on Pending Business—Continued.**

The House having adjourned after yeas and nays were ordered and before the vote was taken, the pending question remains as unfinished business when the same class of business is again in order. Volume **VI**, section **740**.

A recess differs from an adjournment in its effect upon pending business and the House resumes consideration of unfinished business under conditions obtaining at the time recess was taken. Volume **VI**, section **664**.

A bill undisposed of at adjournment on a day derived to special business comes up as unfinished business on the next day when that class of business is again in order. **VIII**, section **2334**.

When the House adjourns on days set apart for special business without ordering the previous question, the pending measure comes up as the unfinished business on the next day on which that class of business is again in order. **VIII**, section **2694**.

When the House adjourns on Wednesday without voting on a proposition on which the previous question has been ordered the question does not go over to the following Wednesday but comes up on the next legislative day. Volume **VII**, section **895**.

A bill under consideration on Calendar Wednesday, and on which the previous question had been ordered but not disposed of at adjournment, comes up as unfinished business on the next legislative day. Volume **VII**, section **967**.

A bill on which the previous question had been ordered at adjournment on Wednesday was taken up as the unfinished business on Thursday and took precedence of a motion to go into the Committee of the Whole for the consideration of a bill privileged by special order. **VIII**, section **2674**.

Business under consideration on “consent day” and undisposed of at adjournment does not come up as unfinished business on the following legislative day but goes over to the next day when that class of business is again in order. Volume **VII**, section **1005**.

While holding unfinished business on which the previous question was pending at adjournment on the previous day to be of equal privilege, the Speaker directed the call of the Consent Calendar. Volume **VII**, section **990**.

A motion to suspend the rules on which a second has been ordered remaining undisposed of at adjournment recurs as the unfinished business on the next day on which such motion is again in order. **VIII**, section **3412**.

A motion to suspend the rules pending and undisposed of at adjournment recurs as unfinished business on the next day when such business is again in order. **VIII**, section **3411**.

Debate on a motion to suspend the rules is limited to 20 minutes one each side, and if adjournment is taken before the 40 minutes have been consumed, the time remaining is available when the motion is again considered. **VIII**, section **3412**.

A bill called up out of order by unanimous consent and undisposed of at adjournment remains as unfinished business to be resumed when that class of business is again in order. Volume **VI**, section **741**.

When business which by unanimous consent has been made a special order remains unfinished at adjournment, it continues in order until disposed of. Volume **VII**, section **770**.

A resolution of inquiry undisposed of at adjournment retains its privilege and is the unfinished business when that class of business is again in order under the rules. Volume **VI**, section **412**.

The House having adjourned after the reading of a veto message and before voting on reconsideration, the bill comes up as unfinished business on the next legislative day. Volume **VII**, section **1109**.

A motion to correct the Record, undisposed of at adjournment, was held to be in order as the unfinished business if called up when the House next convened. **VIII**, section **3496**.

ADJOURNMENT—Continued.**(20) Of the House.—Effect on Pending Business—Continued.**

An adjournment taking place after the election of a Speaker, but before the Members had taken the oath, the Journal was read on the next day, but was not approved until the oath had been administered. Volume **I**, section **171**.

The intervention of an adjournment does not destroy an existing right to raise the question of consideration. Volume **V**, section **4946**.

The question of consideration has been admitted where other business has intervened between the ordering and execution of the previous question, but not after an adjournment merely. Volume **V**, sections **4967, 4968**.

The House has adjourned pending the question on the title of a bill. Volume **IV**, section **3415**. A legislative day has not begun until the preceding legislative day has been terminated by adjournment. **VIII**, section **3356**.

(21) Of the House.—As a Mark of Respect.

Form of resolutions offered on the death of a Member. Volume **V**, section **7107**.

The decease of a Member in the Hall of the House has been the occasion of immediate adjournment. Volume **V**, sections **7121, 7122**.

The House has adjourned in memory of an ex-Speaker, who had ceased to be a Member. Volume **V**, sections **7139–7141**.

In early days the House did not allow special occasions, like holidays, to interfere with public business. Volume **V**, sections **7071–7074**.

In honor of the centennial birthday of George Washington the two Houses, by concurrent action, adjourned from February 21 to 23, 1832. Volume **V**, section **7075**.

The House generally did not adjourn in tribute to the memories of high officers of the Revolution. Volume **V**, section **7211**.

Instance wherein the House adjourned in sympathy for the people of a destroyed city. Volume **V**, section **7224**.

Adjournment in memory of the deceased sovereign of a foreign nation. Volume **V**, section **7223**. Volume **VIII**, section **3597**.

On a rare occasion and by special direction of the House the Journal was made to state the reason of an adjournment. Volume **V**, section **7122**.

The House passed resolutions and adjourned on being informed of the death of a former Speaker. **VIII**, section **3565**.

The House has adjourned in honor of a former Speaker whose death occurred after he ceased to be a Member. **VIII**, section **3566**.

(22) During Electoral Count and Election of President.

The statutes prescribe directions as to recesses and adjournment of the joint meeting and the two Houses during the count of the electoral votes. Volume **III**, section **1919**.

The time occupied by a joint meeting of the two Houses is not counted in the time of the House's legislative session. Volume **IV**, section **3069**.

The question of taking recesses arose under the law providing for a continuous legislative day during the electoral count of 1877. Volume **III**, section **1954**.

Neither House recesses or adjourns for the electoral count. Volume **VI**, section **444**.

At the election of a President of the United States by the House in 1801 no adjournment was taken during the balloting, which lasted, with postponements, for several days. Volume **III**, section **1983**.

(23) Of the Senate Sitting in an Impeachment Trial.

An adjournment of the Senate sitting for an impeachment trial does not operate as an adjournment of the Senate. Volume **III**, section **2069**.

Immediately upon the adjournment of the Senate sitting for an impeachment trial the ordinary business is resumed. Volume **III**, section **2069**.

ADJOURNMENT—Continued.**(23) Of the Senate Sitting in an Impeachment Trial—Continued.**

In the Senate sitting for an impeachment trial no debate is in order pending a question of adjournment. Volume **III**, section **2073**.

The hour of adjournment of the Senate, sitting for an impeachment trial, being fixed, a motion to adjourn at another time is not in order. Volume **VI**, section **472**.

In the Blount impeachment the Senate dispensed with the requirement for yeas and nays on questions of adjournment and on allowing further time for the parties. Volume **III**, section **2311**.

The sessions of the Senate sitting for an impeachment trial may adjourn for more than three days. Volume **III**, section **2423**.

After voting on one article in the Johnson trial, the Senate adjourned to a day fixed. Volume **III**, section **2441**.

The court of impeachment may adjourn over without interfering with session of the Senate in the interim. Volume **III**, section **2377**.

The later pleadings in the Belknap trial were filed with the Secretary of the Senate during a recess of the Senate sitting for the trial. Volume **III**, section **2455**.

Final judgment being pronounced, the court of impeachment in Pickering's case adjourned sine die. Volume **III**, section **2341**.

Judgment being rendered in the Peck impeachment, the Vice-President directed an adjournment sine die. Volume **III**, section **2383**.

Judgment being pronounced in the Humphreys case the court adjourned without day. Volume **III**, section **2397**.

Having voted on three of the eleven articles, the Senate sitting for the trial of President Johnson, adjourned without day. Volume **III**, section **2443**.

The adjournment without day of the Senate, sitting for the Belknap case, was pronounced after vote of the Senate. Volume **III**, section **2467**.

The Swayne trial being concluded, the Senate, on motion, adjourned without day. Volume **III**, section **2485**.

The Archbald trial being concluded, the Senate, on motion, adjourned without day. Volume **VI**, section **512**.

(24) As Related to Elections.

The taking of testimony in an election case may be adjourned from day to day. Volume **I**, section **704**.

A sheriff having adjourned an election for a reason not specified as a cause of adjournment, the Elections Committee rejected votes cast after such adjournment. Volume **I**, section **769**.

(25) Of Committees.

A committee having adjourned on a stated day of meeting for lack of a quorum, subsequent sessions on the same day, even when attended by a quorum, are not competent for the transaction of business. Volume **VIII**, section **2213**.

A session of a committee, adjourned without having secured a quorum, is a dies non and not to be counted in determining the admissibility of a motion to reconsider. Volume **VIII**, section **2213**.

ADJUDICATION.

The Committee on War Claims has exercised a general but not exclusive jurisdiction over general bills providing for the adjudication or settlement of classes of war claims. Volume **VI**, section **4270**.

The Committee on Private Land Claims has exercised jurisdiction over general as well as special bills relating to the adjudication and settlement of private claims to land. Volume **IV**, section **4274**.

ADJUDICATION—Continued.

Bills relating to the adjudication of claims of Indians and Indian tribes against the United States come within the jurisdiction of the Committee on Indian Affairs. Volume **VII**, section **1935**.

Control and disposition of alien property held by the United States, and the adjudication of conflicting claims of American subjects against foreign governments and foreign subjects against the United States are within the jurisdiction of the Committee on Ways and Means. Volume **VII**, section **1737**.

The House in adjudicating contested-election cases is not bound by State statutes prescribing details of election procedures. Volume **VI**, section **177**.

ADMINISTRATION OF OATHS.

The Speaker, the chairman of the Committee of the Whole, or any other committee, or any Member may administer oaths to witnesses in any case under examination. Volume **III**, section **1769**.

ADMINISTRATORS.

The Committee for the District of Columbia has exercised jurisdiction as to the bills relating to executors, administrators, wills, and divorce in the District. Volume **VI**, section **4289**.

ADMISSIBILITY.

Questions as to admissibility of evidence in a trial of impeachment are by long-established custom, submitted by the Presiding Officer to the Senate for decision. Volume **VI**, section **491**.

Questions as to admissibility of evidence in impeachment trials are not debatable. Volume **VI**, section **490**.

In the Archbald trial the Senate declined to admit and reserve decision on the admissibility of evidence to the admission of which an objection was pending. Volume **VI**, section **490**.

In the Archbald trial it was held that while witnesses might testify as to the general reputation of the respondent, and as to his reputation for judicial integrity in particular, it was not competent to introduce evidence as to his reputation for ability and industry; and in no event was the personal opinion of a witness on questions of character or reputation admissible. Volume **VI**, section **495**.

The issuance of process for the attachment of a witness was held not to bar the admission of depositions by such witness pending his arrival. Volume **IV**, section **523**.

Instance wherein the President pro tempore ruled on the admission of evidence in the trial of an impeachment. Volume **VI**, section **494**.

The committee have entire jurisdiction over questions of pleading and may admit amendments if occasion requires. Volume **VI**, section **102**.

A contract having been admitted as evidence in an impeachment trial, it was held competent to show the intention of the parties thereto. Volume **VI**, section **497**.

Exhibits relating to the Case at bar but also embodying extraneous and irrelevant material were admitted in full over the objection that only the pertinent matters should be read into the record. Volume **VI**, section **523**.

Evidence relating to events occurring prior to Judge Louderback's appointment to the Federal bench was admitted to establish matters pertinent to the impeachment proceedings. Volume **VI**, section **523**.

ADMISSION.

Portions of the gallery over the Speaker's chair are set aside for the use of reporters and correspondents who are admitted thereto by the Speaker under such regulations as he may prescribe. Volume **VIII**, section **3642**.

ADMISSION—Continued.

On occasions of special interest the House sometimes provides additional rules governing admission to the galleries. Volume **VIII**, section **3640**.

An alleged violation of the rule resulting to admission to the floor presents a question of privilege. Volume **VI**, section **579**.

ADMISSION OF STATES.

The House declined to admit the Member-elect from Illinois until the State had been formally admitted to the Union. Volume **I**, section **396**.

It is not necessary that a State be admitted to the Union before it may elect a Representative to Congress. Volume **I**, section **397**.

The Speaker asked the decision of the House when a Member-elect from a State not yet admitted to the Union presented himself to be sworn. Volume **I**, section **396**.

The Senate declined to admit the persons bearing credentials as Senators-elect from Tennessee until that State has been admitted to the Union. Volume **I**, section **398**.

The Senate declined to admit a Senator-elect from Minnesota until a formal act of admission had been passed by Congress. Volume **I**, section **399**.

ADRIAN, GARNETTE B., of New Jersey, Speaker pro tempore.

Decision on question of order relating to—

Suspension of rules. Volume **V**, section **6839**.

ADULTERATION.

The subject of adulteration of food, drugs, etc., in the District is within the jurisdiction of the Committee for the District of Columbia. Volume **IV**, section **4280**.

Bills to prevent the adulteration, misbranding, etc., of foods and drugs have been reported by the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4112**.

Bills relating to the importation of narcotics, of adulterated or misbranded seeds, and of women for immoral purposes have been reported, but not exclusively, by the Committee on Interstate and Foreign Commerce. Volume **VII**, section **1820**.

Bills to prevent the adulteration, misbranding, manufacture, sale, or transportation of foods, drugs, medicines, and liquors have occasionally been reported by the Committee on Agriculture. Volume **VII**, section **1874**.

The adulteration of agricultural products and their importation and control are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1873**.

ADVERSE REPORTS.

Adverse reports do not go to the Calendars except by direction of a committee or on request of a Member. Volume **IV**, section **3116**.

Unless request for other disposition is made within three days a bill reported adversely is automatically tabled and may be taken from the table and recommitted or placed on the calendar by unanimous consent only. Volume **VI**, section **750**.

Adverse reports do not go to the calendar except by direction of a committee or request of a Member. Volume **VI**, section **750**.

Clause 2 of Rule XIII applies to nonprivileged reports only. Volume **VI**, section **411**.

A resolution of inquiry adversely reported to the House and undisposed of becomes unfinished business and may be called up at the will of the House. Volume **VI**, section **411**.

A privileged resolution of inquiry, on which the question of consideration has been raised and decided adversely, is placed on the calendar although under section 2 of Rule XIII it is not otherwise eligible for reference to the calendar. Volume **VI**, section **404**.

A resolution of inquiry, though adversely reported is privileged if on the calendar. Volume **VI**, section **410**.

The rule authorizing reference to the Calendar of Adverse Reports, on request, does not apply to privileged resolutions of inquiry. Volume **VI**, section **411**.

ADVERSE REPORTS—Continued.

The privilege of a question is not affected by the nature of the report thereon and a resolution privileged under the rule occupies the same status when reported adversely as when reported favorably. Volume **VIII**, section **2310**.

Form of resolution providing for consideration of a bill taken from the Committee on Rules under motion to discharge and providing for consideration of a bill adversely reported by the committee to which it was referred. Volume **VII**, section **1012**.

Adverse reports may be called up by any Member of the House on discharge day. Volume **VIII**, section **2268**.

A committee having jurisdiction of the subject may originate a bill and report that bill adversely. Volume **IV**, section **4659**.

Bills reported back adversely by the committee when called up from the deferred list are automatically recommitted and may not be again reported during the same Congress. Volume **VII**, section **846**.

When a bill is reported from the Committee of the Whole with an adverse recommendation, an opponent of the bill is recognized to make a motion as to its disposition. Volume **VIII**, section **2430**.

The committee, after conducting an investigation, acted adversely on a proposition to impeach Judge Wilfley and the House declined to take further action. Volume **VI**, section **525**.

ADVERTISING.

Expenditures for newspaper advertisement and the circulation of form letters held not to constitute improper use of money. Volume **VI**, section **73**.

An appropriation for advertisements for naval recruits was held to be unauthorized and therefore not in order on an appropriation bill. Volume **VII**, section **1233**.

Expenditure of money for advertising space or editorial comment in newspapers or for the hiring of speakers or personal workers held not to constitute bribery. Volume **VI**, section **84**.

ADVISEMENT.

An instance in which the Speaker took a question under advisement and rendered a decision on a subsequent day. Volume **VIII**, section **2174**.

ADY.

The Senate election case of *Ady v. Martin*, from Kansas, in the Fifty-third Congress. Volume **II**, section **1059**.

AERONAUTICS.

Bills pertaining to Military Aviation and Army Aeronautics are reported by the Committee on Military Affairs. Volume **VII**, section **1903**.

Bills relating to naval aviation and marine aeronautics are reported by the Committee on Naval Affairs. Volume **VII**, section **1907**.

AFFIDAVITS.

- (1) **In contempt and other proceedings.**
- (2) **With requests for time to take additional testimony in an election case.**
- (3) **Ex parte in election contests.**
- (4) **Of the voter as to his vote or right to vote.**
- (5) **In impeachments.**
- (6) **Required by election laws.**

(1) In Contempt and Other Proceedings.

In the trial of Samuel Houston for contempt the House permitted an affidavit to be read. Volume **II**, section **1618**.

AFFIDAVITS—Continued.**(1) In Contempt and Other Proceedings—Continued.**

A Senate committee having, on the strength of ex parte affidavits, found Benjamin Stark disloyal, the Senate disagreed to a resolution for his expulsion. Volume **I**, section **443**.

In 1862 a Senator who challenged the right of a Senator-elect to be sworn, substantiated his objection with ex parte affidavits. Volume **I**, section **443**.

(2) With Requests for Time to Take Additional Testimony in an Election Case.

In asking for extension of time to take testimony in an election case affidavits should state facts showing that with proper diligence it has been impossible to take the testimony. Volume **I**, section **602**.

Affidavits filed with a request for time to take additional testimony in an election case must state the names of the witnesses and the particular facts to be proven by them. Volume **I**, section **602**.

An application for extension of time to take testimony in an election case should be accompanied by an affidavit specifying as to the testimony. Volume **I**, section **725**.

When contestee submits an affidavit to justify his request that his election case be reopened the affidavit must be definite and specific. Volume **II**, section **1062**.

(3) Ex parte in Election Contests.

An affidavit taken without notice to opposing candidate and before the result had been determined was rejected as evidence. Volume **I**, section **618**.

A committee lacking the power of subpoena permitted the petitioner to present evidence ex parte in the form of affidavits. Volume **VI**, section **77**.

Instance wherein ex parte affidavits were received as to a secondary question arising in an election case. Volume **I**, section **736**.

An affidavit intended to explain a clerical error in returns was given little weight by the Elections Committee because of its ex parte character. Volume **I**, section **45**.

An instance wherein the committee, overruling a demurrer conceded to be well taken, elected to decide the case on the pleadings, affidavits, exhibits, and statements of counsel and parties. Volume **VI**, section **170**.

Unsworn statements and ex parte affidavits are not admissible as evidence and will not be considered by the Committee on Elections in the adjudication of an election case. Volume **VI**, section **147**.

As to validity of an answer, with no proof of service except an ex parte affidavit. Volume **II**, section **957**.

(4) Of the Voter as to His Vote or Right to Vote.

In a sustained case the Elections Committee admitted as proof of his title to vote the voter's properly taken affidavit. Volume **I**, section **771**.

An affidavit of a voter as to how he intended to vote, made at the time the vote was rejected, was accepted as a valid declaration and part of the res gestae. Volume **II**, section **900**.

Oral testimony as to the making of affidavits by rejected voters was accepted as evidence of the fact and not as hearsay. Volume **II**, section **900**.

Where nonregistered voters were required to file affidavits on voting, and those affidavits did not appear on file, the House rejected the votes. Volume **II**, section **1041**.

Election officers being required to file certain affidavits with a prothonotary, his certificate that this was not done was accepted as proof that the affidavits were not taken. Volume **II**, section **1130**.

Affidavits given by nonregistered voters need not be signed, but the jurat must appear or the votes are rejected. Volume **II**, section **910**.

(5) In Impeachments.

The committee recommended and the House voted the impeachment of Judge Pickering on the strength of certain ex parte affidavits. Volume **III**, section **2319**.

AFFIDAVITS—Continued.**(5) In Impeachments—Continued.**

Instance wherein depositions offered in an impeachment trial were purged of matters in conflict with the rule laid down as to evidence. Volume **III**, section **2206**.

In the Pickering case the Presiding Officer ruled that in presenting affidavits to show the insanity of the accused, only the pertinent parts should be read. Volume **III**, section **2334**.

(6) Required by Election Laws.

Failure to file with the Clerk of the House before and after election affidavits required by law held not to justify vacating seat. Volume **VI**, section **94**.

AFFIRMATION.

Senators and Representatives are bound by oath or affirmation to support the Constitution. Volume **I**, section **127**.

Senators sitting for an impeachment trial are required by the Constitution to be on oath or affirmation. Volume **III**, section **2055**.

Instance wherein the House authorized administration of affirmation of office. Volume **VI**, section **17**.

Form of resolutions relating to the administration of affirmation. Volume **VI**, section **17**.

AFFIRMATIVE.

The question is put first on the affirmative and then on the negative side. Volume **V**, section **5925**. After the Chair has put the affirmative, debate is still in order before the negative is put unless the previous question has been ordered. Volume **VIII**, section **3066**.

Debate on a pending proposition is closed when the question is put on both the affirmative and negative, and the voidance of this vote through lack of a quorum does not open the question to debate when again under consideration. Volume **VIII**, section **3097**.

Debate may continue, the previous question not having been ordered, until the Speaker has put the negative side of the question. Volume **VIII**, section **3065**.

Errors in the record of votes are corrected on recapitulation at the close of the reading of the votes in the affirmative, in the negative, and those answering present, respectively. Volume **VIII**, section **3125**.

The Chair may vote to make a tie and so decide the question in the negative as he may vote to break a tie and decide a question in the affirmative. Volume **VIII**, section **3100**.

AGE AS A QUALIFICATION.

The Constitution provides that a Member shall fulfill certain conditions as to age, citizenship, and inhabitancy. Volume **I**, section **413**.

A Member-elect, whose credentials were in due form, but whose age was not sufficient to meet the constitutional requirement, was not enrolled by the Clerk. Volume **I**, section **418**.

A Member-elect not being of the required age the taking of the oath was deferred until he was qualified. Volume **I**, section **418**.

AGENTS.

No officer or employee of the House shall be an agent for the prosecution of a claim against the Government. Volume **V**, section **7227**.

A former regulation as to counsel appearing before committees. Volume **III**, section **1771**.

When the person accused in articles of impeachment appears by agent or attorney, a record is made naming the person appearing and the capacity in which he appears. Volume **III**, section **2129**.

After William Blunt had failed to appear and answer, counsel were admitted on his behalf. Volume **III**, section **2308**.

The Senate decided that the counsel for William Blount need not file any warrant of attorney or other written authority. Volume **III**, section **2309**.

AGENTS—Continued.

In the Blount impeachment a letter from respondent's attorneys announcing their readiness to attend was filed in the Senate before the day set for appearance. Volume **III**, section **2305**.

Testimony as to what was said by the agent or coconspirator of respondent in regard to carrying out respondent's order, the said order being a ground of the impeachment, was admitted. Volume **III**, sections **2231–2233**.

A candidate who purposely remained in ignorance of the acts of agents in his behalf when the means of information were within his control was held to have ratified such acts and to have assumed responsibility therefor. Volume **VI**, section **79**.

A candidate in whose behalf exorbitant sums of money were received and dispensed by personal agents and representatives with his knowledge and consent was held to be disqualified. Volume **VI**, section **179**.

A law establishing a definite policy was held to authorize appropriations for agents to carry out such policy and instrumentalities promoting the efficiency of those agents. Volume **VII**, section **1184**.

A law providing for establishment of specific regulations authorizes appointment of agents to enforce such regulations, and in the absence of legislative limitation on the number to be appointed, an appropriation for any number is in order on an appropriation bill. Volume **VII**, section **1191**.

AGREE, MOTION TO.

(1) **Precedence of.**

(2) **Nature of the motion.**

(3) **Relative to motion to amend.**

(1) Precedence of.

The parliamentary law governing the precedence and effect of the motions to agree, disagree, recede, insist, and adhere. Volume **V**, section **6164**.

The stage of disagreement not being reached, the motion to concur in an amendment of the other House with an amendment has precedence of the simple motion to concur. Volume **V**, section **6321**.

The motion to amend an amendment of the other House has precedence of the motion to agree or disagree. Volume **V**, sections **6164, 6169–6171**.

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. Volume **VIII**, section **3187**.

A motion to concur in a Senate amendment with an amendment takes precedence of a motion to insist further on the House's disagreement to the Senate amendment. Volume **V**, section **6224**.

A motion to insist on disagreement to a Senate amendment yields to a motion to agree and is not acted on in event of rejection of the latter motion. Volume **VIII**, section **3183**.

Before the stage of disagreement has been reached, the motion to refer to a committee Senate amendments returned with a House bill has precedence of a motion to agree to the amendments. Volume **V**, sections **6172–6174**.

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **V**, sections **6219–6223**.

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to commit is in order. Volume **V**, section **5575**.

The previous question being demanded or ordered on a motion to concur in a Senate amendment, a motion to amend is not in order. Volume **V**, section **5488**.

Although the previous question may have been demanded on a motion to insist, it has been held that a motion to recede and concur might be admitted to precedence. Volume **V**, section **6321a**.

AGREE, MOTION TO—Continued.**(1) Precedence of—Continued.**

It has been held that a resolution from a committee recommending a request for a conference on certain disagreements as to amendments must be acted on before the preferential motion to agree. Volume **V**, section **6271**.

(2) Nature of the Motion.

As to the motions to agree or disagree, the affirmative of one is equivalent to the negative of the other. Volume **V**, section **6164**.

The motion to agree, or concur, should be put in the affirmative and not in the negative form. Volume **V**, section **6166**.

A negative vote on a motion to disagree was held equivalent to an affirmative vote to agree. Volume **V**, section **6167**.

The Committee of the Whole having recommended disagreement to a Senate amendment, and the House having negatived a motion to concur in the recommendation, it was held that the House had agreed to the amendment. Volume **V**, section **6168**.

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to recommit is in order. Volume **VIII**, section **2744**.

Instance wherein a motion to suspend the rules was utilized in taking a bill from the Speaker's table and agreeing to Senate amendments. Volume **III**, section **3425**.

A conference report being presented, the question on agreeing to it is regarded as pending. Volume **VIII**, section **3300**.

A motion to suspend the rules and agree to a conference report proposes suspension of all rules inconsistent with the adoption of the report, including the rule requiring printing before consideration. Volume **VIII**, section **3423**.

A special order authorizing managers as provided by section 2 of Rule XX to agree to a Senate amendment making appropriations, precludes the point of order that the House has not voted separately on a new appropriation in such amendment. Volume **VII**, section **768**.

Managers on the part of the House may be authorized by resolution reported from the Committee on Rules to agree to Senate amendments carrying appropriations on a bill not originating as an appropriation bill in the House. Volume **VII**, section **1577**.

Pending the decision of a question of order raised against a conference report it is in order to move to suspend the rules and agree to the report. Volume **VIII**, section **3422**.

One House may agree outright in an amendment of the other, may agree with an amendment, or may disagree outright. Volume **V**, section **6163**.

The process of amending Senate amendments in Committee of the Whole and the subsequent agreement of the House to the amendments as amended. Volume **V**, section **6193**.

By receding from its disagreement to a Senate amendment, the House does not thereby agree to the same. Volume **V**, section **6215**.

The inability of the two Houses to agree on even the slightest amendment to a bill causes the loss of the bill. Volume **V**, sections **6233–6240**.

The motion to ask a conference is distinct from motions to agree or disagree to Senate amendments. Volume **V**, section **6268**.

The House may disagree to certain Senate amendments to a bill, agree to others with amendments, and ask a conference only on the disagreement, leaving to the Senate to agree or disagree to the amendments to Senate amendments. Volume **V**, section **6287**.

A two-thirds vote is required to agree to amendments of the other House of joint resolutions proposing amendments to the Constitution. Volume **VIII**, section **3505**.

(3) Relative to Motion to Amend.

A bill of one House being passed in the other with amendment, the originating House may concur with an amendment, whereupon the other House may concur with still another amendment; but here the process stops. Volume **V**, section **6163**.

A motion being made to agree to an amendment of the other House with an amendment, it is in order to perfect that amendment by another amendment and a substitute. Volume **V**, section **6175**.

AGREE, MOTION TO—Continued.**(3) Relative to Motion to Amend—Continued.**

An instance wherein one House receded from its own amendment after the other House had returned it concurred in with an amendment. Volume **V**, section **6226**.

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. Volume **V**, section **6253**.

Form of conference report wherein the Senate recedes from certain of its amendments to a House bill, while the House recedes from its disagreement as to others and agrees to certain others with amendment. Volume **V**, sections **6500–6502**.

AGREEMENTS.

An agreement entered into by unanimous consent may be modified by unanimous consent at the pleasure of the House. Volume **VII**, section **946**.

A gentlemen's agreement that there should be "no business whatever" at formal sessions of the House during a designated period was construed to exclude business of the highest privilege as well as business of a purely formal character, including the swearing in of Members and the extension of remarks in the Record. Volume **VI**, section **715**.

A "gentlemen's agreement"—a term applied to unanimous-consent orders of more than ordinary importance—is observed with scrupulous care and the Speaker has declined to recognize Members to submit requests which in his opinion infringed on its provisions. Volume **VI**, section **710a**.

A gentlemen's agreement once entered into is not subject to subsequent revision, even by unanimous consent. Volume **VI**, section **710a**.

Instance in which the House by "gentleman's agreement," provided for nominal sessions during which no business should be transacted. Volume **VII**, section **760**.

The House is not bound by private agreement between Members even when entered into on the floor in course of debate. Volume **VII**, section **927**.

AGRICULTURAL APPROPRIATION BILLS.

The law creating the Department of Agriculture authorizes appropriations for salaries of employees essential to its proper maintenance without designating the names of positions in which they shall serve, and in the absence of statutory provision to the contrary it is in order in an appropriation bill to name such position or to change the name of any division, bureau, or office previously appropriated for. Volume **VII**, section **1330**.

An appropriation for "miscellaneous supplies and expenses" was held to be authorized by the organic law of the Department of Agriculture. Volume **VII**, section **1167**.

While the statute authorizing the Secretary of Agriculture to make investigation of subjects relating to agriculture is held to justify a broad line of appropriation, yet it does not justify appropriations for general investigations. Volume **IV**, section **3652**.

While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized on the agricultural appropriation bill, it is not in order to require cooperation of State experiment stations therein. Volume **VI**, section **3650**.

While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized under the organic law creating the Department of Agriculture, it is not in order to require cooperation of States, companies, or individuals therein. Volume **VII**, section **1301**.

The authorization to conduct investigations conferred by the organic law establishing the Department of Agriculture does not extend to investigations conducted by other departments in connection with the Department of Agriculture. Volume **VII**, section **1294**.

While an appropriation for investigation of road materials was held not to be authorized under the organic act creating the Department of Agriculture, because not devoted exclusively to agricultural purposes, an appropriation for investigation of irrigation was held to come within the law and to be in order on an appropriation bill. Volume **VII**, section **1307**.

AGRICULTURAL APPROPRIATION BILLS—Continued.

An appropriation for experiments and demonstrations in livestock production was held to be authorized by the organic law creating the Department of Agriculture. Volume **VII**, section **1129**.

A proposition to appropriate for demonstrating processes of manufacturing denatured alcohol at an exposition was held not to be authorized by general law giving the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **VII**, section **1295**.

An appropriation for investigating sources of raw materials for making paper was held not to be authorized by the provision of the organic law creating the Department of Agriculture. Volume **VII**, section **1296**.

The broad powers of investigation conferred by the organic act creating the Department of Agriculture were held to authorize an investigation to determine possible sources of mineral fertilizers. Volume **VII**, section **1299**.

Contravening a former ruling, an appropriation for drainage investigations was held in order on the agricultural appropriation bill. Volume **VII**, section **1318**.

A provision to appropriate for compiling tests of dairy cows at an exposition was held not to be authorized as an expenditure by the general law giving to the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **IV**, section **3653**.

The Committee of the Whole, overruling its chairman, decided that a provision for the purchase and distribution of rare and valuable seeds was in order on the agricultural appropriation bill. Volume **IV**, section **3895**.

An appropriation for collection of market statistics on agricultural products was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1304**.

Provision for redemption at the treasury of adjustment certificates issued by the Secretary of Agriculture in administration of the Farm Relief Law and drawn on a special fund provided for the purpose was held not to constitute an appropriation within the meaning of section 4 of Rule XXI. Volume **VII**, section **2160**.

An appropriation for cooperative agricultural extension work with the States and Territories is authorized by the organic law creating the Department of Agriculture. Volume **VII**, section **1172**.

The law establishing the Department of Agriculture was held to authorize an appropriation for the purchase and distribution of free seeds. Volume **VII**, section **1166**.

An appropriation for control of the European corn borer was held to be authorized by the organic act establishing the Department of Agriculture. Volume **VII**, section **1309**.

While the organic act creating the Department of Agriculture was held to authorize an appropriation for maintenance of a highway weather service, it was ruled not to justify an appropriation for collection of data as to the effects of weather on such highways. Volume **VII**, section **1308**.

An appropriation for the distribution of proceedings of the World's Dairy Congress was held to be authorized by the provision for the dissemination of knowledge in the law creating the Department of Agriculture. Volume **VII**, section **1174**.

An appropriation providing for the daily issue of a price list reporting prices of farm products received by producers was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1305**.

AGRICULTURAL COLLEGES.

The subject of agricultural colleges and experiment stations is within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4152**.

AGRICULTURAL DEPARTMENT.

The services of the Departments in Washington, except the Agricultural Department, are appropriated for in the legislative, executive, and judicial bill, which is reported by the Committee on Appropriations. Volume **IV**, section **4033**.

References to statutes regulating the distribution of seeds by Members through the Agricultural Department. Volume **V**, section **7344**.

While the organic law creating the Department of Agriculture confers broad powers of investigation, it does not authorize investigations abroad. Volume **VII**, section **1303**.

AGRICULTURAL PRODUCTS.

The regulation of exportation of live stock, meat, and other agricultural products has been to a certain extent within the jurisdiction of the Committee on Interstate and Foreign Commerce. Volume **IV**, section **4113**.

AGRICULTURE, COMMITTEE ON.

The creation and history of the Committee on Agriculture, section 10 of Rule XI. Volume **IV**, section **4149**.

Recent history of the Committee on Agriculture, section 10 of Rule XI. Volume **VII**, section **1860**.
The rules give to the Committee on Agriculture the jurisdiction of subjects relating "to agriculture and forestry" and the appropriations for the Department of Agriculture. Volume **IV**, section **4149**.

The Committee on Agriculture has reported as to export bounties, regulation of importation of trees, shrubs, etc., and as to the effects of the tariff on agriculture. Volume **IV**, section **4155**.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.

Bills imposing an internal-revenue tax on oleomargarine are, by action of the House, included within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4156**.

A bill affecting the internal-revenue tax on oleomargarine has been reported from the Committee on Agriculture. Volume **II**, section **1455**.

While the Committee on Agriculture has jurisdiction of revenue legislation affecting oleomargarine, the Ways and Means Committee has retained jurisdiction as to revenue bills affecting tobacco, lard, cheese, etc. Volume **IV**, section **4022**.

The Committee on Agriculture has exercised a general but not exclusive jurisdiction of legislation relating to imitation dairy products, manufacture of lard, etc. Volume **IV**, section **4156**.

Bills providing for the standardization in quality, weight, and measure of agricultural products and breadstuffs have been considered by the Committee on Agriculture. Volume **VII**, section **1868**.

The compilation and dissemination of statistics and reports on agricultural products are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1872**.

The cooperative marketing and distribution of farm products, the disposition of surplus agricultural products abroad, proposed legislation for the stabilization and control of prices of foodstuffs, and for the establishment of governmental agencies for the administration of such legislation are within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1871**.

Investigation of the Department of the Interior and the Department of Agriculture has been considered to be within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1877**.

The animal industry, inspection of livestock and meat products, and diseases of animals are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4154**.

AGRICULTURE, COMMITTEE ON—Continued.

- Bills for the stimulation of production, sale, and distribution of livestock products and the authorization of appropriations for international conferences on poultry and poultry products have been reported by the Committee on Agriculture. Volume **VII**, section **1867**.
- The Committee on Agriculture has reported as to the regulation of importation and inspection of livestock and dairy products, and the establishment and maintenance of quarantine stations for that purpose. Volume **VII**, section **1862**.
- The control of stockyards and packing plants and the regulation of interstate and foreign commerce in livestock, dairy, and livestock products, poultry and poultry products, are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1869**.
- The adulteration of seeds, insect pests, protection of birds and animals in forest preserves, grading of grain, etc., are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4157**.
- The adulteration of agricultural products and their importation and control are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1873**.
- Bills to prevent the adulteration, misbranding, manufacture, sale, or transportation of foods, drugs, medicines, and liquors have occasionally been reported by the Committee on Agriculture. Volume **VII**, section **1874**.
- The subject of improving the breed of horses, even with the improvement of the cavalry as an object, belongs to the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4158**. Volume **VII**, section **1865**.
- Bills to incorporate certain agricultural societies have been reported by the Committee on Agriculture. Volume **IV**, section **4159**.
- Bills to discourage fictitious and gambling transactions in farm products have been considered within the jurisdiction of the Committee on Agriculture, even when an internal-revenue question was included. Volume **IV**, section **4161**. Volume **VII**, section **1861**.
- The Committee on Agriculture has jurisdiction of subjects relating to timber, and forest reserves other than those created from the public domain. Volume **IV**, section **4160**.
- The Committee on Agriculture exercises jurisdiction over bills relating to the purchase, protection, and reforestation of watersheds of navigable streams and cooperation between the States or on the part of the Federal Government with the States for such purposes. Volume **VII**, section **1876**.
- The protection of migratory birds, the establishment of refuges for that purpose, and the regulation of hunting and shooting grounds in that connection are subjects within the jurisdiction of the Committee of Agriculture. Volume **VII**, section **1870**.
- The Committee on Agriculture has reported bills providing for the purchase of land to be used for quarantine stations, experiment stations, forest reserves, and watersheds. Volume **VII**, section **1864**.
- Legislation relating to the Weather Bureau is within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4151**.
- The subject of agricultural colleges and experiment stations is within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4152**.
- Bills relating to the subject of farm risk insurance have been referred to the Committee on Agriculture. Volume **VII**, section **1875**.
- Bills providing for loans to farmers under emergency conditions have been reported by the Committee on Agriculture. Volume **VII**, section **1866**.
- The subject of a highway commission has been considered by the Committee on Agriculture. Volume **IV**, section **4153**.
- The bills for establishing the Department of Agriculture and for transferring certain bureaus to it were reported by the Committee on Agriculture. Volume **IV**, section **4150**.

AID OR COMFORT.

As to the meaning of the words "aid or comfort" as used in the fourteenth amendment to the Constitution. Volume **VI**, section **57**.

A Member-elect found to have obstructed the Government in the prosecution of war, and to have given aid and comfort to its enemies, was declared ineligible to membership in the House. Volume **VI**, section **58**.

AIKEN.

The South Carolina election case of Stolbrand v. Aiken in the Forty-seventh Congress. Volume **I**, section **719**.

ALABAMA.

Election cases from in the House:

- Forty-second Congress.—Norris v. Handley. Volume **II**, section **887**.
- Forty-fourth Congress.—Bromberg v. Haralson. Volume **II**, sections **905–907**.
- Forty-seventh Congress.—Mabson v. Oates. Volume **I**, section **725**.
- Forty-seventh Congress.—Jones v. Shelley. Volume **I**, section **714**.
- Forty-seventh Congress.—Smith v. Shelley. Volume **II**, section **965**.
- Forty-seventh Congress.—Strobach v. Herbert. Volume **II**, sections **966, 967**.
- Forty-seventh Congress.—Lowe v. Wheeler. Volume **II**, sections 961–964.
- Forty-eighth Congress.—Craig v. Shelley. Volume **II**, section **995**.
- Fiftieth Congress.—McDuffie v. Davidson. Volume **II**, sections **1007, 1008**.
- Fifty-first Congress.—Threet v. Clark. Volume **II**, section **1025**.
- Fifty-first Congress.—McDuffie v. Turpin. Volume **II**, sections **1030, 1031**.
- Fifty-second Congress.—McDuffie v. Turpin. Volume **II**, section **1043**.
- Fifty-third Congress.—Whatley v. Cobb. Volume **II**, section **1046**.
- Fifty-fourth Congress.—Goodwyn v. Cobb. Volume **I**, sections **720, 721**.
- Fifty-fourth Congress.—Aldrich v. Robbins. Volume **II**, sections **1064, 1065**.
- Fifty-fourth Congress.—Robinson v. Harrison. Volume **II**, section **1068**.
- Fifty-fourth Congress.—Aldrich v. Underwood. Volume **II**, sections **1091–1094**.
- Fifty-fifth Congress.—Clark v. Stallings. Volume **I**, section **747**.
- Fifty-fifth Congress.—Comer v. Clayton. Volume **I**, section **745**.
- Fifty-fifth Congress.—Aldrich v. Plowman. Volume **II**, section **1097**.
- Fifty-fifth Congress.—Crowe v. Underwood. Volume **II**, section **1101**.
- Fifty-sixth Congress.—Aldrich v. Robbins. Volume **II**, sections **1115, 1116**.
- Fifty-seventh Congress.—Spears v. Burnett. Volume **II**, section **1119**.

Election cases, from, in the Senate:

- Forty-second Congress.—Goldthwaite, Blodgett, and Norwood. Volume **I**, sections **393, 394**.
- Forty-third Congress.—Sykes v. Spenser, Volume **I**, sections **342–344**.
- Forty-fifth Congress.—John J. Morgan. Volume **I**, section **359**.

The Senate election case of Heflin v. Bankhead, of Alabama, in the Seventy-second Congress. Volume **VI**, section **188**.

ALASKA.

The election case of Mottrom D. Ball, claiming a seat as Delegate from Alaska in the Forty-seventh Congress. Volume **I**, section **411**.

The Alaska election case of Wickersham v. Sulzer and Grigsby in the Sixty-sixth Congress. Volume **VI**, section **113**.

The Alaska election case of Wickersham v. Sulzer in the Sixty-fifth Congress. Volume **VI**, section **147**.

An exception allows nine months within which to report contested election cases from the Territory of Alaska. Volume **VIII**, section **2277**.

The Committee on the Territories has jurisdiction of general subjects relating to the District of Alaska. Volume **IV**, section **4210**.

ALASKA—Continued.

- The Committee on the Territories has jurisdiction of general subjects relating to the Territory of Alaska. Volume **VIII**, section **1943**.
- The Committee on the Territories has exercised a general but not exclusive jurisdiction as to game and fish in Alaska, including the salmon fisheries. Volume **IV**, section **4211**.
- The Committee on Ways and Means has exercised jurisdiction as to the seal herds and other revenue-producing animals of Alaska. Volume **IV**, section **4025**.
- The Committee on Ways and Means no longer exercises jurisdiction as to the seal herds and other revenue producing animals of Alaska. Volume **VII**, section **1725**.
- Jurisdiction over bills relating to the protection of seals and other fur-bearing animals of Alaska, formerly exercised by the Committee on Ways and Means, has now been transferred to the Committee on the Merchant Marine and Fisheries. Volume **VII**, section **1851**.
- Bills relating to Alaskan fisheries belong to the Committee on the Merchant Marine and Fisheries rather than to the Committee on the Territories. Volume **VII**, section **1850**.
- The Committee on Public Lands has exercised jurisdiction over the public lands of Alaska, including grants to public service corporations. Volume **IV**, section **4196**.
- The Committee on the Judiciary has exercised jurisdiction of bills relating to local courts in the District of Columbia and Alaska, and the Territories. Volume **IV**, section **4068**.
- A bill providing for agricultural entries of coal lands in Alaska was held to be privileged as a reservation of the public lands for actual settlers. Volume **VIII**, section **2290**.
- A statute authorizing certain bureau work in the United States was held not to authorize an extension of that work to the Territory of Alaska. Volume **VII**, section **1224**.
- The building of roads in Alaska under a law providing for their construction from the "Alaska fund" was held not to be such a work in progress as to warrant an appropriation on an appropriation bill. Volume **VII**, section **1340**.
- An amendment providing for the completion and maintenance of roads, bridges, and trails in Alaska held not to fall within the rule that appropriations may be made on an appropriation bill for a work in progress. Volume **VII**, section **1333**.

ALCOHOLIC LIQUOR TRAFFIC, COMMITTEE ON.

- The creation and history of the Committee on Alcoholic Liquor Traffic, section 28 of Rule XI. **IV**, section **4305**.
- History of the former Committee on Alcoholic Liquor Traffic, section 33 of Rule XI. Volume **VII**, section **2029**.
- The rules gives to the Committee on Alcoholic Liquor Traffic jurisdiction of subjects relating "to alcoholic liquor traffic" Volume **IV**, section **4305**.
- Illustrations of the jurisdiction of the Committee on Alcoholic Liquor Traffic. Volume **IV**, section **4306**.
- The regulation of the traffic in intoxicating liquors, etc., through control of interstate commerce relations, is within the jurisdiction of the Committee on the Judiciary. Volume **IV**, section **4061**.

ALDERSON.

- The West Virginia election case of McGinnis v. Alderson in the Fifty-first Congress. Volume **VII**, section **1036**.

ALDRICH.

- The Alabama election case of Aldrich v. Robbins in the Fifty-fourth Congress. **VII**, sections **1064**, **1065**.
- The Alabama election case of Aldrich v. Underwood in the Fifty-fourth Congress. **VII**, sections **1091–1094**.
- The Alabama election case of Aldrich v. Plowman in the Fifty-fifth Congress. **VII**, section **1097**.

ALDRICH—Continued.

The Alabama election case of Aldrich v. Robbins in the Fifty-sixth Congress. **VII**, sections **1115**, **1116**.

ALEXANDER, JOSHUA W., of Missouri, Speaker pro tempore and Chairman.

Decisions on questions of order relating to—

Appropriation bill. **VIII**, section **1233**.

Germaneness. **VIII**, section **3059**.

Holman Rule. **VII**, section **1539**.

Question of consideration: **VII**, section **948**.

ALIEN OWNERSHIP

The Committee on Mines and Mining has reported on the subject of alien ownership of mineral lands. **IV**, section **4227**.

The forfeiture of land grants and alien ownership of land have been considered by the Public Lands Committee, although the Judiciary Committee has also participated in the jurisdiction of certain land questions. **IV**, section **4201**.

ALIEN PROPERTY.

Control and disposition of alien property held by the United States, and the adjudication of conflicting claims of American subjects against foreign governments and foreign subjects against the United States are within the jurisdiction of the Committee on Ways and Means. **VII**, section **1737**.

ALIENS.

As to what is meant by a common-law jurisdiction justifying a court to naturalize aliens under the act of Congress. **VII**, section **998**.

The presence of names on a list of foreign citizens enrolled under authority of a treaty was held prima facie evidence of disqualification for voting. Volume **I**, section **830**.

A committee held that under the principles of the common law an alien might not hold a seat as a Delegate. **VI**, section **423**.

An alien naturalized by a State court not expressly empowered by the United States statute so to do, was yet held to be qualified as a citizen. **VI**, section **421**.

Reference to Senate rule that no alien may offer a petition directly to the Senate. **IV**, section **3328**.

The residence, deportation, and readmission of aliens, and the taxation of immigrants admitted to the United States, are subjects within the jurisdiction of the Committee on Immigration and Naturalization. **VII**, section **2039**.

The immigration of aliens to Hawaii and Porto Rico is a subject within the jurisdiction of the Committee on Immigration and Naturalization. **VII**, section **2040**.

“ALL THE PEOPLE.”

Comment on the use of the phrase “all the people” in the pleadings in an impeachment case, **VIII**, section **2431**.

ALLEN, EDWARD P., of Michigan, Chairman.

Decisions on questions of order relating to—

Appropriation bills. Volume **IV**, sections **3554–3558**.

Committee of the Whole. Volume **IV**, section **4784**.

Jurisdiction of committees. Volume **IV**, section **4042**.

Previous questions. Volume **V**, section **5486**.

ALLEN, ELECTION CASES OF.

The Ohio election case of Wm. Allen in the Twenty-third Congress. Volume **I**, section **729**.

The Illinois election case of Archer v. Allen in the Thirty-fourth Congress. Volume **I**, section **824**.

ALLEN, ELECTION CASES OF—Continued.

The Mississippi election case of *Brown v. Allen* in the Fifty-fourth Congress. Volume **I**, section **754**.

ALLEN, JAMES C., Clerk.

Decisions on questions of order relating to—

Adjourn, motion to. Volume **V**, section **5363**.

Election of a Speaker. Volume **I**, section **219**.

Lay on the table, motion to. Volume **V**, section **5390**.

Organization. Volume **I**, section **71**.

Recognition. Volume **I**, section **74**.

Yielding the floor. Volume **V**, section **5040**.

ALLOWANCES.

Discussion of various services of the House, including the House restaurant, House barber shops, and stationery and mileage allowances of Members. Volume **VI**, section **216**.

The disposition of stationery allowance to Members through the stationery room. Volume **VI**, section **213**.

Bills relating to allowances on internal-revenue duties are reported by the Committee on Ways and Means. Volume **VII**, section **1734**.

ALMSHOUSE.

Discussion of the qualifications as voters in respect to residence of paupers in an almshouse. Volume **I**, section **814**.

AMBASSADORS.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII**, section **1248**.

An appropriation for transportation and subsistence of diplomatic and consular officers en route to and from their posts was held to be in order on an appropriation bill. Volume **VII**, section **1251**.

Where a statute authorizes a diplomatic mission to a designated government it is in order to appropriate for the salary of diplomatic officers thereto prior to their appointment by the President. Volume **VII**, section **1248**.

In the absence of an actual appointment by the President, or of confirmation of such appointment by the Senate, an appropriation for the salary of a minister to a country to which a statute authorizes the appointment of an ambassador is subject to a point of order. Volume **VII**, section **1248**.

Secretary Mellon having been nominated and confirmed as ambassador to a foreign country and having resigned as Secretary of the Treasury, the House declined to authorize an investigation. Volume **VI**, section **540**.

The Speaker is required to set aside a portion of the west gallery for the use of the President, Members of his Cabinet, Justices of the Supreme Court, and foreign ministers and suites, and their respective families. Volume **V**, section **7302**.

Ministers from foreign governments and governors of States (but not of Territories) have the privilege of the floor. Volume **V**, section **7283**.

AMENDMENTS. See also "Substitute Amendments."

(1) **Motion for.—Form and presentation of.**

(2) **Motion for.—Precedence of.**

(3) **Motion for.—In relation to other motions.**

(4) **Motion for.—Amendment to be perfected before agreed to.**

(5) **Motion for.—Striking out and inserting.**

(6) **Motion for.—The substitute. See also "Substitute Amendments."**

AMENDMENTS—Continued.

- (7) Motion for.—Power of Speaker and Members as to.
- (8) Motion for.—Withdrawal.
- (9) Motion for.—As related to the previous question.
- (10) Motion for.—As related to debate.
- (11) Motion for.—Related to suspension of the rules and special orders.
- (12) Motion for.—Relation to points of order.
- (13) Motion for.—As to proposition in an impeachment trial.
- (14) Of bills.—In standing and select committees.
- (15) Of bills.—Procedure in the House.
- (16) Of bills.—In relation to motions to lay on the table, refer, and recommit.
- (17) Of bills.—In Committee of the Whole.
- (18) Of bills.—Action on when reported from Committee on the Whole.
- (19) Of bills.—In the House as in Committee of the Whole.
- (20) Of bills.—Perfecting paragraphs proposing legislation on general appropriation bills.
- (21) Of bills.—By the Senate generally.
- (22) Of bills.—By the Senate in revenue matters.
- (23) Of bills.—Senate amendments in relation to precedence of motions.
- (24) Of bills.—Senate amendments considered in the House.
- (25) Of bills.—Senate amendments not to change text to which both Houses have agreed.
- (26) Of bills.—Senate amendments and principles as to receding in relation thereto.
- (27) Of bills.—Senate amendments and principles as to adherence in relation thereto.
- (28) Of bills.—Senate amendments and conferences thereon.
- (29) Germane amendments.—Rule and general principles.
- (30) Germane amendments.—Practice as to, in relation to various propositions.
- (31) Germane amendments.—Should relate to paragraph or section bill.
- (32) Germane amendments.—An individual proposition not to be amended by another.
- (33) Germane amendments.—Specific subject not to be amended by general matters.
- (34) Germane amendments.—General subject may be amended by individual propositions.
- (35) Germane amendments.—Decisions on matters amending existing law.
- (36) Germane amendments.—Time limitations on effective dates of legislation.
- (37) Germane amendments.—Limitation, exceptions, etc.
- (38) Germane amendments.—As related to legislative and other propositions on appropriation bills. See also "Appropriations."
- (39) Germane amendments.—Decisions relating to revenue matters.
- (40) Germane amendments.—Decisions relating to immigration.
- (41) Germane amendments.—Decisions relating to the public lands.
- (42) Germane amendments.—Decisions relating to clerks, officers, etc.
- (43) Germane amendments.—Decisions relating to judges and the courts.
- (44) Germane amendments.—Decisions relating to the District of Columbia.
- (45) Germane amendments.—Decisions relating to agriculture.
- (46) Germane amendments.—Decisions relating to commerce and labor.
- (47) Germane amendments.—Decisions relating to army and navy.
- (48) Germane amendments.—Decisions relating to President, Members of Congress, etc.
- (49) Germane amendments.—General decisions holding germane.
- (50) Germane amendments.—General decisions holding not germane.

AMENDMENTS—Continued.

- (51) **Examples of a amendments not germane.—Unrelated subjects.**
- (52) **Examples of a amendments not germane.—On appropriation bills.**
- (53) **Of the Journal.—As related to reading and approval.**
- (54) **Of the Journal.—As related to actual transactions.**
- (55) **Of the Journal.—Epunging and rescinding.**
- (56) **Of the Journal.—Reasons not included.**
- (57) **Of the Journal.—May not insert excluded matter by indirection.**
- (58) **Of the Journal.—Record of.**
- (59) **Of articles of impeachment.**
- (60) **Of the Constitution.—In general.**
- (61) **Of the Constitution. Voting on.**
- (62) **Of the Constitution. Jurisdiction of committees as to.**

(I) Motion for.—Form and Presentation of.

Under the rule relating to amendments four motions may be pending at once—to amend, to amend the proposed amendments, to amend by a substitute, and to amend the substitute. Volume **V**, section **5753**.

It was settled by the practice of the House, before the adoption of the rule, that there might be pending with the amendment and the amendment to it another amendment in the nature of a substitute and an amendment to the substitute. Volume **V**, section **5785**.

There may be pending simultaneously, the original text, an amendment to the text, an amendment to the amendment, a substitute for the amendment and an amendment to the substitute. Volume **VIII**, section **2883**.

There may pending with the amendment, and the amendment to it, another amendment in the nature of a substitute and an amendment to the substitute. Volume **VIII**, section **2887**.

It is not in order to offer more than one motion to amend at a time. Volume **V**, section **5755**.

An amendment having been read for information by consent must again be read for consideration and is not pending until so reported. Volume **VIII**, section **2339**.

An exceptional instance wherein the Chair entertained a motion that the Clerk be directed to read a pending paragraph as it would read if modified by a proposed amendment. Volume **VII**, section **1050**.

Two independent amendments may be voted on together only by unanimous consent. Volume **V**, section **5979**.

An amendment in the third degree is not permissible. Volume **V**, section **5754**. Volume **VIII**, section **2580**.

In considering an amendment to a committee amendment, an amendment in the nature of a substitute for the pending amendment was not admitted, being in the third degree. Volume **VIII**, section **2891**.

A substitute for an amendment to an amendment is in the third degree and is not permissible. Volume **VIII**, section **2889**.

While there may be pending an amendment, an amendment to it, and another amendment in the nature of a substitute, an amendment in the third degree may not be admitted under the guise of a substitute. Volume **VIII**, section **2888**.

Under provision by special order that an amendment be read and considered in lieu of the bill, the amendment is treated as original text and is subject to amendment in the second degree. Volume **VII**, section **783**.

When a special order provides for the consideration of an amendment as the original bill, the amendment and not the bill is read when called up for consideration. Volume **VII**, section **784**.

The formal amendment striking out the last word in not in order in considering an amendment to a substitute, being in the third degree. Volume **V**, section **5779**.

An amendment proposing expulsion of a Member was agreed to by a majority vote, but on the proposition as amended a two-thirds vote was required. Volume **II**, section **1274**.

AMENDMENTS—Continued.**(1) Motion for.—Form and Presentation of—Continued.**

Amendments must be reduced to writing on demand and the Committee of the Whole is not required to delay its proceedings in order to permit the writing of a proposed amendment even though during the delay thus occasioned the section to which the amendment is proposed may be passed in reading and so preclude consideration of the amendment. Volume **VIII**, section **2827**.

Amendments are required to be reduced to writing on demand in their entirety and if any portion of a proposed amendment remains to be filled in, it is not in order. Volume **VIII**, section **2828**.

Amendments are sometimes submitted orally, but on demand must be reduced to writing and sent to the Clerk's desk. Volume **VIII**, sections **2826**, **2829**.

The rule requiring motions to be reduced to writing on the demand of a Member applies to amendments as to other motions and is applicable in the Committee of the Whole as in the House. Volume **VIII**, section **2826**.

A Member may not offer as an amendment a paper already in possession of the House, and consequently a part of the files of the House. Volume **V**, section **7265**.

A Member may not offer as an amendments a paper already offered by another Member and in possession of the Clerk. Volume **V**, sections **7266**, **7267**.

The question of admitting an amendment should be decided from the provisions of its text rather than from purposes which circumstances may suggest. Volume **IV**, section **3998**.

The question on agreeing to committee amendments is put by the Chair without motion from the floor. Volume **V**, section **5772**.

Amendments recommended by the committee reporting a bill must be passed upon by the House and portions of the bill recommended to be stricken out remain in the bill until acted upon by the House and must be read with the remainder of the bill at the first reading, even though omitted in the committee print. Volume **VIII**, section **2865**.

Under a special order providing that certain amendments shall be voted on, it is not necessary that such amendments be offered and the Chair will put the question without motion from the floor. Volume **VII**, section **782**.

Where a special order provided for a vote on an amendment at a designated time, the Chairman at the time put the question, and pending amendments to the amendment were not acted upon. Volume **VII**, section **795**.

(2) Motion for.—Precedence of.

A demand for the previous question takes precedence of a motion to amend. Volume **VIII**, section **2660**.

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. Volume **V**, section **5555**. Volume **VI**, section **373**.

The motion to amend is not entertained while the motion to refer is pending. Volume **VI**, section **373**.

Amendments reported by a committee are acted on before those offered from the floor. Volume **V**, section **5773** Volume **VIII**, section **2862**.

The question as to the extent to which the chairman of the committee reporting a bill should be recognized to offer amendments to perfect it in preference to other Members. Volume **II**, section **1450**.

The Member in charge of the bill is entitled to prior recognition to offer amendments. Volume **VI**, section **296**.

The motion to strike out the enacting words (which is authorized in a rule relating to the Committee of the Whole) has precedence of a motion to amend. Volume **V**, section **5326**.

The motion to strike out the enacting clause has precedence of the motion to amend, and may be offered while an amendment is pending. Volume **V**, sections **5328–5331**.

AMENDMENTS—Continued.**(2) Motion for.—Precedence of—Continued.**

The motion to strike out the enacting words has precedence of a motion to amend. Volume **VIII**, section **2622**.

The motion to strike out the enacting clause has precedence of the motion to amend, and may be offered while an amendment is pending. Volume **VIII**, section **2624**.

The motion to strike out the enacting clause has precedence of a motion to amend. Volume **VIII**, section **2626**.

While the motion to strike out the enacting clause is pending in the Committee of the Whole the pro forma amendment to strike out the last word is not entertained. Volume **VIII**, section **2627**.

After reading for amendment has begun in the Committee of the Whole the motion to strike out the enacting clause is in the order at any time until the stage of amendment has been passed. Volume **VIII**, section **2367**.

As the motion to strike out the enacting clause is not in order until the first section of a bill has been read, or after reading for amendment has been concluded, where a bill contained but one paragraph the motion was entertained at the conclusion of the reading of the bill. Volume **VIII**, section **2618**.

The motion to strike out the enacting clause is a motion to amend and yields to the motion to refer when reported to the House from the Committee of the Whole. Volume **VIII**, section **2634**.

A motion to strike out the enacting clause is, in effect, a preferential amendment, and in order at any time recognition is secured to offer it during the reading of the bill for amendment. Volume **VII**, section **787**.

The motion to strike out the enacting clause has the status of a motion to amend and is governed by the same rules of debate. Volume **VIII**, section **2627**.

In Committee of the Whole a motion to amend a bill has precedence over a motion to rise and report it. Volume **IV**, sections **4752–4758**.

A motion to rise and report with the recommendation that the enacting clause be stricken out is in order at any time after the reading of the bill begins and before the stage of amendment has been passed, and takes precedence over the motion to rise and report with favorable recommendation. Volume **VIII**, section **2620**.

In Committee of the Whole the motion to recommend postponement to a day certain has precedence of the motion to amend. Volume **VIII**, section **2615**.

In Committee of the Whole, under the five-minute rule, the right to explain or oppose an amendment has precedence over a motion to amend it. Volume **IV**, section **4751**.

In Committee of the Whole the simple motion that the committee rise has precedence of the motion to amend. Volume **IV**, section **4770**.

A perfecting amendment, has precedence of a motion to strike out and must go first voted on when both are pending, but a member recognized on a motion to strike out may not be deprived of the floor by another member proposing a perfecting amendment. Volume **VIII**, section **2860**.

An amendment to perfect the pending section takes precedence of an amendment offered as a new paragraph. Volume **VIII**, section **2868**.

The transaction of business is not in order before the reading of the Journal even for the purpose of amending the title of a bill which has passed of the preceding day. Volume **IV**, section **2751**.

(3) Motion for.—In Relation to Other Motions.

With some exceptions an amendment may attach itself to secondary and privileged motions. Volume **V**, section **5754**.

The motions to postpone, refer, amend, for a recess, and to fix the day to which the House shall adjourn may be amended. Volume **V**, section **5754**.

The motion to postpone to a day certain is subject to amendment. Volume **VIII**, section **2824**.

AMENDMENTS—Continued.**(3) Motion for.—In Relation to Other Motions.—Continued.**

An amendment may not attach to the motion for the previous question or the motion to lay on the table and adjourn when used in the House. Volume **V**, section **5754**.

The motion to strike out the enacting clause is not subject to amendment. Volume **VIII**, section **2626**.

A second motion to strike out the enacting clause is not entertained in the absence of any material modification of the bill. Volume **VIII**, section **2636**.

A second motion to strike out the enacting clause is in order only when the bill has been materially modified by amendment. Volume **VIII**, section **2635**.

A special order providing that a bill should be considered for amendment under the 5-minute rule was construed to admit the motion to strike out the enacting clause. Volume **VII**, section **787**.

A bill is not considered in the practice of the House passed or an amendment agreed to if a motion to reconsider is pending, the effect of the motion to reconsider being to suspend the original proposition. Volume **V**, section **5704**.

When the vote whereby an amendment has been agreed to is reconsidered the amendment becomes simply a pending amendment. Volume **V**, section **5704**.

A motion to lay on the table a motion to reconsider the vote by which has amendment to a pending motion was rejected does not carry to the table the motion to which the amendment was offered. Volume **VIII**, section **2659**.

The motion to reconsider the vote on a proposition having been once agreed to, and the said vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendments. Volume **V**, sections **5685–5688**.

The House decided (overruling the Speaker) that the motion to reconsider the vote on a proposition having been once agreed to, and the vote having again been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment. Volume **VIII**, section **2788**.

After the passage of a bill, reconsideration of the vote on any amendment thereto may be secured only by motion to reconsider the vote by which the bill was passed. Volume **VIII**, section **2789**.

The ordinary motion to commit may be amended as by adding instructions, unless such amendment is prevented by moving the previous question. Volume **V**, section **5521**.

When it is proposed to refer with instructions an amendment to the instructions should be germane thereto. Volume **V**, section **6888**.

The motion to take up a bill out of its order in the consideration of business on the Private Calendar is not debatable and may not be amended. Volume **VIII**, section **2333**.

In the House the motion to adjourn has not be amended, as by specifying to a particular day. Volume **V**, section **5360**.

The motion to fix the day to which the House shall adjourn may be amended. Volume **V**, section **5383**.

The motion to fix the day to which the House shall adjourn may not be amended by substituting the day on which it would meet after agreeing to a simple motion to adjourn. Volume **V**, section **5382**.

A motion may be withdrawn in the House, although an amendment to it may have been offered and may be pending. Volume **V**, section **5347**.

It is not in order for a Member to amend or modify a motion which he has offered in the Committee of the Whole except by unanimous consent. Volume **VIII**, section **2564**.

Motions to change the reference of public bills are not open to debate or subject to amendments. Volume **IV**, section **4378**.

A motion for a change in the reference of a public bill may be amended but the amendment, like the original motion, is subject to the requirement that it be authorized by the proper committee. Volume **VII**, section **2127**.

AMENDMENTS—Continued.**(3) Motion for.—In Relation to Other Motions.—Continued.**

The motion to resolve into Committee of the Whole is not subject to amendment. Volume **VI**, section **725**.

The motion to resolve into Committee of the Whole to consider a privileged bill is not amendable. Volume **VI**, sections **52**, **724**.

The motion to resolve into Committee of the Whole to consider a privileged bill is not amendable or debatable. Volume **IV**, sections **3078**, **3079**.

The motion to go into the Committee of the Whole to consider a general appropriation bill may not be amended by a nonprivileged proposition. Volume **VI**, section **723**.

A motion in the Committee of the Whole House to take up for consideration a designated bill is not subject to amendment and is not debatable. Volume **VIII**, section **2865**.

The Committee of the Whole has no authority to modify an order of the House. Volume **VIII**, section **2321**.

The Committee of the Whole may not alter an order of the House, and the Chairman is not authorized to entertain requests to that effect. Volume **VIII**, section **2323**.

Amendments changing immaterially the limit of time in a motion to close debate were ruled out as dilatory. Volume **VIII**, section **2817**.

The motion in Committee of the Whole that a bill be laid aside with a favorable recommendation is not amendable, but may be displaced by a preferential motion. Volume **VI**, section **4774**.

Motions for the election of Members to committees are debatable and are subject to amendment. Volume **VIII**, section **2172**.

(4) Motion for.—Amendment to be Perfected Before Agreed to.

When it is proposed to amend by inserting a paragraph, it should be perfected by amendment before the question is put on inserting. Volume **V**, section **5758**.

After a vote to insert a new section in a bill, it is too late to perfect the section by amendment. Volume **VIII**, section **2857**.

After a vote to insert a proposition in a bill it is too late to perfect the proposition by amendment. Volume **VIII**, section **2852**.

When it is proposed to perfect a paragraph the motions to insert or strike out, if already pending, must remain in abeyance until the amendments to perfect have been moved and voted on. Volume **V**, section **5758**.

It is in order to perfect words proposed to be stricken out and a perfecting amendment is admissible after debate on the motion to strike out has begun. Volume **VIII**, section **2861**.

After a vote to insert a new section in a bill it is too late to perfect the section by amendment. Volume **V**, sections **5761**, **5762**.

It is not in order to amend an amendment agreed to by the House. Volume **VIII**, section **2856**.

It is not in order to amend an amendment that has been agreed to, but the amendment with other words of the original paragraph may be stricken out in order to insert a new text of a different meaning. Volume **V**, section **5763**.

Words inserted by amendment may not afterwards be changed. Volume **VIII**, section **2853**.

Words inserted by amendment may not afterwards be changed, except that a portion of the original paragraph including the words so inserted may be stricken out if in effect it presents a new proposition, and a new coherence may also be inserted in place of that stricken out. Volume **V**, section **5758**.

Words inserted by amendment may not afterwards be changed. It is not in order to strike out an amendment already agreed to by the House. Volume **VIII**, section **2853**.

While it is not in order to strike out a portion of an amendment once agreed to, yet words may be added to the amendment. Volume **V**, sections **5764**, **5765**.

AMENDMENTS—Continued.**(4) Motion for.—Amendment to be Perfected Before Agreed to—Continued.**

While an amendment which has been agreed to may not be modified, a proposition to strike it from the bill with other language of the original text is in order. Volume **VIII**, section **2855**.

Words embodying a distinct substantive proposition being agreed to as an amendment, it is not in order to amend by striking out a part of those words with other words. Volume **V**, section **5766**.

Words once inserted in a paragraph by way of amendment may not be stricken out by another motion to amend, but words on the same subject, even though inconsistent, may be added to the paragraph. Volume **V**, section **5759**.

(5) Motion for.—Striking Out and Inserting.

The motion to strike out and insert is a perfecting amendment and takes precedence of a simple motion to strike out. Volume **VIII**, section **2849**.

An amendment which by striking out words would change a privileged proposition to an unprivileged proposition was held not to be in order. Volume **VIII**, section **2919**.

While amendments are pending to the section a motion to strike it out may not be offered. Volume **V**, section **5771**.

A bill being under consideration by paragraphs, a motion to strike out was held to apply only to the paragraph under consideration. Volume **V**, section **5774**.

A rule of the House provides that even though a motion to strike out a proposition be decided in the negative, yet the proposition may be amended, even by a motion to strike out and insert. Volume **V**, section **5767**.

When it is proposed to strike out a paragraph it should be perfected by amendment before the question is put on striking out, although if the motion to strike out fails amendments may still be offered. Volume **V**, section **5758**.

It is not in order to strike out a paragraph previously inserted by amendment. Volume **VIII**, section **2854**.

A motion to strike out an amendment just inserted is not in order. Volume **VIII**, section **2851**.

An amendment to strike out an amendment already adopted is not in order. Volume **VIII**, section **2712**.

It is not in order to strike out an amendment already agreed to by the House. Volume **VIII**, section **2987**.

While an amendment which has been agreed to may not be modified, a proposition to strike it from the bill with other language of the original text is in order. Volume **VIII**, section **2855**.

When it is proposed to strike out certain words in a paragraph it is not in order to amend by adding to them other words of the paragraph. Volume **V**, section **5768**.

When it is proposed to strike out certain words in a paragraph, it is not in order to amend by adding to them other words of the paragraph. Volume **VIII**, section **2848**.

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. Volume **V**, section **5792**. Volume **VIII**, section **2854**.

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute. Volume **V**, section **5790**.

A motion to strike out certain words being disagreed to, it is in order to strike out a portion of those words. Volume **V**, section **5769**.

It is in order to perfect words proposed to be stricken out by striking out a portion of them. Volume **V**, section **5770**.

It is in order to insert by way of amendment a paragraph similar (if not actually identical) to one already stricken out by amendment. Volume **V**, section **5760**.

The motion to strike out and insert may not be divided for the vote. Volume **V**, section **5767**.

AMENDMENTS—Continued.**(5) Motion for.—Striking Out and Inserting—Continued.**

A negative vote on a motion to strike out and insert does not prevent the offering of another similar motion or a simple motion to strike out. Volume **V**, section **5758**.

(6) Motion for.—The Substitute. See also “Substitute Amendments.”

History of the evolution of the amendment in the nature of a substitute. Volume **V**, section **5753**. A substitute can be entertained only after an amendment is pending. Volume **VIII**, section **2883**. To qualify as a substitute an amendment must treat in the same manner the same subject matter carried by the text for which proposed. Volume **VIII**, section **2879**.

Under the recent practice of the House the substitute provided for in Rule XIX has been construed as a substitute for the amendment and not a substitute for the text. Volume **VIII**, section **2883**.

A proposition to strike out all after the first two words of an amendment and insert a new text in lieu thereof was held to be an amendment and not a substitute. Volume **VIII**, section **2882**.

Form of a substitute amendment for the text of an entire bill (footnote). Volume **V**, section **5785**.

An amendment in the nature of a substitute for the entire bill may be offered either at the end of the bill or after the reading of the first paragraph with notice that if agreed to motions will be made to strike out the remaining paragraphs. Volume **VIII**, section **2426**.

If the Committee of the Whole perfect a bill by amendment and then adopt a substitute for the entire bill, only the substitute is reported to the House, and if the House rejects the substitute the original bill without amendment is before the House. Volume **VIII**, section **2426**.

A substitute for an entire bill may be offered only after the first paragraph has been read or after the reading of the bill for amendment has been concluded. Volume **VIII**, section **2905**.

An amendment in the nature of a substitute having been agreed to, the vote is then taken on the original proposition as amended by the substitute. Volume **V**, sections **5799**, **5800**.

After an amendment in the nature of a substitute is agreed to, the question must then be taken on the original proposition as amended. Volume **II**, section **983**.

After an amendment in the nature of a substitute is agreed to, the vote must then be taken on the original proposition as amended by the substitute (footnote). Volume **V**, section **5785**.

Both an original proposition and a proposed amendment in the nature of a substitute may be perfected by amendments before the vote is taken on the substitute. Volume **V**, section **5786**.

A substitute amendment may be amended by striking out all after its first word and inserting a new text. Volume **V**, sections **5793**, **5794**.

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph, with notice that if it be agreed to, motions will be made to strike out the remaining paragraphs. Volume **V**, section **5795**.

An amendment striking out language other than in the pending amendment is not in order as a substitute for an amendment inserting language. Volume **VIII**, section **2880**.

When an amendment is pending only one substitute for the amendment is in order. Volume **VIII**, section **2883**.

It is in order to propose as a substitute for a section an amendment inserting the same section with modifications and omitting amendments to the section previously agreed to by the Committee of the Whole. Volume **VIII**, section **2905**.

AMENDMENTS—Continued.**(6) Motion for.—The Substitute—Continued.**

- An amendment in the nature of a substitute may be proposed before amendments to the original text have been acted on, but may not be voted on until such amendments have been disposed of. Volume **V**, section **5787**.
- An amendment in the nature of a substitute may not be voted on until the original matter is perfected. Volume **V**, section **5753**.
- An amendment in the nature of a substitute having been proposed, amendments to the original text proposed to be stricken out are in order and are voted on before the question is taken on the substitute. Volume **VIII**, section **2861**.
- An original proposition may be perfected by amendments before the vote is taken on the substitute. Volume **VIII**, section **2894**.
- A substitute for an amendment is not voted on until after amendments to the amendment have been disposed of. Volume **VIII**, section **2895**.
- When the four amendments in order under the rule are pending, the vote is taken first on the amendment to the amendment and then on the amendment to the substitute. Volume **VIII**, section **2892**.
- An amendment in the nature of a substitute may be proposed before amendments to the original text have been acted on, but may not be voted on until after such amendments have been disposed of. Volume **VIII**, section **2896**.
- When a bill is considered by sections or paragraphs an amendment in the nature of a substitute is properly offered after the reading for amendment is concluded. Volume **V**, section **5788**.
- Under exceptional circumstances a substitute amendment to a bill which was being considered by paragraphs was once voted on before all the paragraphs had been read. Volume **V**, section **5789**.
- In considering an amendment to a substitute an amendment in the nature of a substitute for the pending amendment was not admitted, being in the third degree. Volume **V**, section **5791**.
- If the Committee of the Whole reports to the House a substitute for the entire bill the substitute is subject to amendment in the House unless the previous question is operating. Volume **VIII**, section **2419**.
- Instance wherein a substitute amendment was offered to a bill reported from the Committee of the Whole with amendments, and the previous question was ordered on all the amendments, and the bill to a final passage. Volume **V**, section **5472**.
- The closing of debate on the last section of a bill considered under the five-minute rule does not preclude debate on a substitute for the whole text of the bill. Volume **V**, section **5228**.
- A Committee of the Whole, like any other committee, may adopt and report an amendment in the nature of a substitute. Volume **IV**, section **4899**.
- The vote on a substitute and the vote on the original resolution, is the same proposition within the practice prohibiting a second motion to reconsider the same proposition unless changed by amendment. Volume **III**, section **2788**.
- A proposition offered as a substitute amendment and rejected, may nevertheless be offered again as an amendment in the nature of a new section. Volume **VIII**, section **2843**.
- Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. Volume **V**, sections **6127**, **6128**.
- Substitute resolutions offered as an amendment are not divisible. Volume **III**, section **3168**.
- Sometimes, by unanimous consent, the House allows more than one substitute to be pending at once, on order that a choice may be offered between different propositions. Volume **V**, section **5798**.

AMENDMENTS—Continued.**(6) Motion for.—The Substitute—Continued.**

A committee to which a resolution had been committed, having submitted a report making no recommendations thereon and proposing another resolution neither germane to nor recommended as a substitute for the original resolution, was permitted to withdraw it and file an amended report recommending the proposed resolution as a substitute. Volume **VI**, section **401**.

The resolution before the House providing that a contestant have leave to withdraw, the mere adoption of an amendment to seat contestant does not thereby decide the case. Volume **II**, section **983**.

(7) Motion for.—Power of Speaker and members as to.

It is not in order to offer an amendment identical with one previously disagreed to. Volume **VIII**, section **2834**.

While it is not in order to submit for consideration by way of amendment a proposition previously passed on, an amendment raising the same question, but in other words, is admissible. Volume **VIII**, section **2850**.

The change of a single word in the text of a proposition is sufficient to prevent the Speaker ruling it out of order as one already disposed of by the House. Volume **II**, section **1274**.

Similarity of an amendment to one previously rejected will not render it inadmissible if sufficiently different in form to present another proposition. Volume **VIII**, section **2840**.

A negative vote on an amendment does not prevent the offering of another amendment embodying a similar proposition in slightly different phraseology. Volume **VIII**, section **2841**.

It is in order to offer an amendment a proposition similar, but not substantially identical, with one previously rejected. Volume **VIII**, section **2838**.

It is not in order to offer an amendment previously rejected but to come within the inhibition the amendment proposed must be identical with that previously disposed of. Volume **VIII**, section **2837**.

It is not in order to offer an amendment previously rejected and the mere change of figures carried in an amendment already acted on is insufficient to relieve it of that objection. Volume **VIII**, section **2836**.

While not in order to insert by way of amendment a paragraph similar to one already stricken out, an amendment will not be ruled out for that reason unless practically identical. Volume **VIII**, section **2839**.

While an amendment once passed upon by the House is not again in order, a change in phraseology sufficient to present a substantially different proposition renders it admissible. Volume **VIII**, section **2726**.

If a proposed amendment is not susceptible to any other interpretation than that which might reasonably be given an amendment previously rejected, it is not admissible. Volume **VIII**, section **2835**.

The inconsistency of a proposed amendment with one already agreed to is not a matter for the decision of the Speaker. Volume **V**, section **5781**.

The Chair does not rule on the consistency of a proposed amendment. Volume **VIII**, section **3458**.

The fact that a proposed amendment is inconsistent with the text, or embodies a proposition already voted on, constitutes a condition to be passed on by the House and not by the Speaker. Volume **II**, sections **1328–1336**.

The consistency of a proposed amendment with the text is a question to be passed on by the House and not by the Speaker. Volume **VIII**, section **3458**.

A question as to the inconsistency of a proposed amendment with action previously taken by the committee, is a proposition to be passed upon by the committee and not by the Chair. Volume **VI**, section **257**.

The fact that a proposed amendment is inconsistent with a proposition already voted upon was held not to warrant its being ruled out by the Speaker. Volume **VII**, section **2136**.

AMENDMENTS—Continued.**(7) Motion for.—Power of Speaker and Members as to—Continued.**

A point of order as to the competency or meaning of an amendment does not constitute a parliamentary question. Volume **VI**, section **254**.

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. Volume **II**, section **1327**.

The question as to whether a proposed amendment embodies a proposition already voted on is one to be passed upon by the House and not by the Speaker. Volume **VI**, section **255**.

It is for the House, and not the Speaker, to decide on the legislative effect of a proposition. Volume **II**, sections **1323**, **1324**.

The effect of an amendment upon a bill is a question for the House and is not passed upon by the Speaker. Volume **VII**, section **2142**.

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. Volume **II**, section **1335**.

A proposed amendment may not be accepted by the Member in charge of the pending measure, but can be agreed to only by the House. Volume **V**, sections **5756**, **5757**. Volume **VIII**, section **2832**.

A Member has the right to withdraw a resolution before a decision thereon, and may modify the proposition in the House, but not in the committee. Volume **VI**, section **570**.

Where obviously offered for the purpose of delaying consideration the Chair has declined to entertain an amendment. Volume **VIII**, section **2798**.

Amendments may not be offered by proxy. Volume **VIII**, section **2830**.

(8) Motion for.—Withdrawal.

A motion may be withdrawn in the House, although an amendment to it may have been offered and may be pending. Volume **VI**, section **373**. Volume **VIII**, section **2639**.

In the House (as distinguished from the Committee of the Whole) an amendment, whether simple or in the nature of a substitute, may be withdrawn at any time before amendment or decision is had thereon. Volume **V**, section **5753**.

An amendment once offered in Committee of the Whole may not be withdrawn. Volume **V**, section **5221**.

An amendment once offered in Committee of the Whole may not be withdrawn or modified except by unanimous consent. Volume **VIII**, section **2563**.

During consideration of a bill "in the House as in Committee of the Whole" an amendment may be withdrawn at any time before action has been had on it. Volume **IV**, section **4935**.

(9) Motion for.—As Related to the Previous Question.

The previous question may be moved on a single motion, on a series of allowable motions, on an amendment or amendments and on a bill to its final passage or rejection. Volume **V**, section **5443**.

After the previous question has been moved or ordered on a bill and pending amendments, further amendments may not be offered. Volume **V**, sections **5486**, **5487**.

After the previous question is ordered on a pending proposition, modifications or amendments may be made only by unanimous consent. Volume **V**, sections **5482–5485**.

The ordering of the previous question after a resolution had been read and before committee amendments had been reported was held to preclude reading or consideration of such amendments. Volume **VIII**, section **2686**.

In order to prevent amendments the previous question is sometimes ordered on undebatable motions. Volume **V**, section **5490**.

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. Volume **V**, section **5471**.

AMENDMENTS—Continued.**(9) Motion for.—As Related to the Previous Question—Continued.**

When the previous question has been ordered on a series of motions and its force has not been exhausted, the reconsideration of the vote on one of the motions does not throw it open to debate or amendment. Volume **V**, section **5493**.

When a vote taken under the operation of the previous question is reconsidered, the main question stands divested of the previous question and may be debated and amended without reconsideration of the motion for the previous question (Speaker overruled). Volume **V**, sections **5491**, **5492**.

The motion to commit under section 1 of Rule XVII is not debatable, but is amendable, unless the previous question is ordered on it. Volume **V**, sections **5570**, **5571**.

The motion to commit provided for in the rule for the previous question may be applied to a motion to amend the Journal. Volume **V**, section **5574**.

An opinion of the Speaker that the motion to commit is not in order when the previous question has been ordered simply on a pending amendment. Volume **V**, section **5573**.

After the previous question is ordered the motion to commit may be amended, as by adding instructions, unless such amendment be precluded by moving the previous question on the motion to commit. Volume **V**, sections **5582–5584**.

When the previous question has been ordered on a simple resolution (as distinguished from a joint resolution) and a pending amendment, the motion to commit should be made after the vote on the amendment. Volume **V**, sections **5585–5588**.

After the previous question had been ordered it was once held in order to move to commit with instructions to strike out a portion of an amendment already agreed to, although such a purpose might not be accomplished directly by a motion to amend. Volume **V**, section **5542**.

The ordering of the previous question on a bill and all amendments to final passage precludes debate on a motion to recommit but does not exclude amendments to such motion. Volume **VIII**, section **2741**.

The previous question when ordered on a bill and amendments to final passage continues in force until final disposition of the bill and is not vitiated by recommitment with instructions to report amendments. Volume **VIII**, section **2677**.

(10) Motion for.—As Related to Debate.

On a motion to amend the debate in the House is confined to the amendment, and may not include the general merits of the proposition. Volume **V**, sections **5049–5051**.

The motion to strike out the enacting clause is in the nature of an amendment and debate on the motion is under the five-minute rule and may be closed at any time after debate has begun. Volume **VIII**, section **2618**.

The closing of debate on a section and all amendments thereto applies to amendments offered subsequently. Volume **VIII**, section **2580**.

A Member who has spoken once to the main question may speak again to an amendment. Volume **V**, sections **4993**, **4994**. Volume **VIII**, section **2449**.

A Member who has occupied five minutes on a pro forma amendment, may not, by making another pro forma amendment, lengthen his time. Volume **V**, section **5222**.

A Member proposing an amendment may offer an amendment to such amendment during the five minutes allotted him under the rule by may not thereby secure additional time for debate. Volume **VIII**, section **2562**.

A Member who has the floor in debate may not yield to another Member to offer an amendment without losing control of his time. Volume **V**, section **5021**.

When a Member yields of his time for debate an amendment may not be offered in the yielded time without his consent. Volume **V**, section **5032**.

A Member may not offer an amendment in time secured for debate only. Volume **VIII**, section **2474**.

A Member who, having the floor in debate, yields to another to offer an amendment, loses his right to resume. Volume **V**, section **5031**.

AMENDMENTS—Continued.**(10) Motion for.—As Related to Debate—Continued.**

A Member who yields the floor to another to offer an amendment loses his right to reoccupy it. Volume **V**, section **5030**.

A Member yield time for amendment in the House, but a Member yielding relinquishes the floor. Volume **VIII**, section **2470**

A Member having control of the time may not yield for an amendment without losing the floor, and is not entitled to a second hour if another demands recognition. Volume **VIII**, section **2476**.

Amendments may not be offered in time yielded for debate only, and a Member yielding to another to propose an amendment loses the floor. Volume **VIII**, section **3187**.

A Member who, having the floor in debate, yields to another to offer an amendment loses his right to resume, and the Member to whom the floor is yielded is recognized for one hour. Volume **VIII**, section **2478**.

A Member yielding to another to offer an amendment thereby relinquishes control of the time allotted to him. Volume **VIII**, section **2471**.

A Member securing time for another in which to offer an amendment is recognized in his own right. Volume **VIII**, section **2471**.

A Member may control the time allowed him by the rules, yielding time to others for debate but not for amendment. Volume **V**, sections **5029**, **5030**.

The Member in charge of a bill in the House does not lose the floor by offering an amendment. Volume **VIII**, section **2469**.

A Member may yield to permit an amendment to be read for information, or to be voted upon at the close of general debate, without losing control of his time. Volume **VIII**, section **2477**.

The rule permitting forty minutes of debate was held to apply to an amendment on which the previous question had been ordered before there had been debate either in the House or in Committee of the Whole. Volume **V**, section **5503**.

The rule for the forty minutes of debate does not apply to an amendment on which there has been no debate in a case wherein the motion for the previous question covers both the amendment and the original proposition, which has been debated. Volume **V**, section **5504**.

When, after a speech in favor of an amendment under the five-minute rule, no one claimed the floor in opposition, the Chairman recognized another Member favoring the amendment. Volume **VIII**, section **2557**.

The Member in charge, and not the proponent, is entitled to close debate on an amendment in the Committee of the Whole. Volume **VIII**, section **2581**.

(11) Motion for.—Related to Suspension of the Rules and Special Orders.

The motion to amend may not be applied to a motion to suspend the rules. Volume **V**, sections **5322**, **5405**, **5406**, **6858**, **6859**.

After a second is ordered on a motion to suspend the rules the motion may be withdrawn or modified by unanimous consent only. Volume **VIII**, section **3420**.

The rules having been suspended simply for the introduction of a matter, that matter may be amended. Volume **V**, section **6842**.

During consideration of a motion to suspend the rules and pass a bill it is not in order to move to commit the bill or to demand a separate vote on amendments pending with the bill. Volume **V**, section **6860**.

On a motion to suspend the rules and pass a bill with amendments it is not in order to demand a separate vote on the amendments. Volume **VIII**, section **3171**.

A motion to suspend the rules and pass a bill with amendments is a proposal to suspend all rules and it is not necessary to read the bill in its original form. Volume **VIII**, section **2871**.

A bill offered for passage on a committee suspension day may carry with it only such amendments as are authorized by the committee. Volume **V**, section **6812**.

AMENDMENTS—Continued.**(11) Motion for.—Related to Suspension of the Rules and Special Orders—Continued.**

The rules may be suspended by a single motion and vote, so as to permit the House to vote first on a special amendment to a bill and then on the bill itself. Volume **V**, section **6851**.

The Committee on Rules may report a resolution rescinding or modifying a special order of business. Volume **VIII**, section **3390**.

(12) Motion for.—Relation to Points of Order.

An amendment read for information is not pending and reservation of points of order is not required to preserve rights thereon. Volume **VIII**, section **3434**.

A point of order against a proposition must be made before an amendment is offered to it. Volume **V**, sections **6907–6911**.

A point of order against a proposition must be made before an amendment is offered. Volume **VIII**, section **3443**.

A point of order may not be raised against a proposition after an amendment is offered and even a pro forma amendment precludes a question of order. Volume **VIII**, section **3445**.

An amendment may not be offered to a paragraph in a bill until a point of order reserved against the paragraph has been disposed of. Volume **V**, sections **6872, 6873**.

An amendment may not be offered to a paragraph in a bill while a point of order against the paragraph is pending. Volume **VIII**, section **3452**.

An amendment may not be offered to a motion against which a point of order is pending. Volume **VIII**, section **2824**.

A point of order against a paragraph of a bill being read for amendment under the five-minute rule comes too late after the reading of the following paragraph. Volume **VIII**, section **2351**.

If a portion of a proposed amendment be out of order the whole of it must be ruled out. Volume **V**, section **5784**.

If any portion of an amendment is out of order the entire amendment is subject to a point of order. Volume **VIII**, sections **2878, 2922, 2970, 2980**.

Where any portion of an amendment is out of order it is sufficient ground for the rejection of the whole amendment. Volume **V**, sections **6878–6880**.

An amendment being offered and the reading having begun, a point of order may interrupt the reading, and the Chair may rule the amendment out if enough has been read to show that it is out of order. Volume **V**, sections **6886–6887**. Volume **VIII**, sections **2912, 3437**.

An amendment against which a question of order has been raised may not be debated until the point of order has been disposed of. Volume **VIII**, section **2556**.

By offering a pro forma amendment in Committee of the Whole a Member does not lose the right to insist on his pending point of order. Volume **V**, section **6874**.

An instance in which the Chairman expressed himself in doubt as to the admissibility of an amendment and would resolve that doubt in favor of the amendment. Volume **VII**, section **1712**.

The motion to close the five-minute debate, while not debatable, is subject to amendment. Volume **VIII**, section **2578**.

An instance in which the Chairman recalled a decision sustaining a point of order against an amendment and submitted the amendment for consideration. Volume **VII**, section **1580**.

(13) Motion for.—As to Proposition in an Impeachment Trial.

During an impeachment trial a proposition by managers or counsel is not amendable by Senators, but yields precedence to one made by a Senator. Volume **III**, section **2147**.

A proposition offered by a Senator during an impeachment trial is amendable by Senators, but not by managers or counsel. Volume **III**, section **2147**.

AMENDMENTS—Continued.**(14) Of Bills.—In Standing and Select Committees.**

In considering a bill the committee should set down the amendments on a separate paper. Volume **IV**, section **4667**.

It was formerly a requirement of rule as well as of the Manual that amendments should be entered on a separate piece of paper and not be interlined on the bill (footnote). Volume **IV**, section **4922**.

Committees may not change the title or subject of bills committed to them, and must set down on a separate paper the amendments which they recommend. Volume **IV**, section **4557**.

(15) Of Bills.—Procedure in the House.

A bill is not amended on its first reading, but pending the engrossment and third reading. Volume **V**, section **5781**.

In the House amendments are offered to any part of a bill after it is read the second time. Volume **IV**, section **3392**.

In the consideration of bills on the House Calendar, the second reading is in full and amendments are not in order until after the reading is concluded, when they may be offered to any part of the bill. Volume **VII**, section **1052**.

In the House amendments are offered to any part of a bill after it is read the second time. Volume **VII**, section **1051**.

A bill considered in the House is read in full but is not read for amendment under the 5-minute rule, and amendments are not in order until the reading of the bill is completed. Volume **VII**, section **1053**.

The Member calling up on a House bill on Calendar Wednesday is recognized for one hour and may move the previous question, for the purpose of preventing debate or amendment, at any time. Volume **VII**, section **955**.

Discussion of the Senate usage in considering bills for amendment (footnote). Volume **IV**, section **3410**.

A Senate bill may not be amended in the House after it has passed to the third reading. Volume **IV**, section **3393**.

A new bill may be engrafted by way of amendment on the words "be it enacted," etc. Volume **V**, section **5781**.

An instance wherein a substitute text for a bill was offered as a substitute for the first section and agreed to, the remaining sections being stricken out afterwards. Volume **V**, section **5796**.

A proposition offered as a substitute amendment and rejected may nevertheless be offered again as an amendment in the nature of a new section. Volume **V**, section **5797**.

An amendment in the form of a new and separate paragraph may be offered to any part of the bill to which it is germane. Volume **V**, section **5777**.

It is in order by a motion to insert to effect a transfer of paragraphs from the latter to the first portion of a bill. Volume **V**, sections **5775**, **5776**.

The text of a bill containing nonprivileged matter, privilege may not be created by a committee amendment in the nature of a substitute not containing the nonprivileged matter. Volume **IV**, section **4623**.

The amendment of the number of the sections of a bill is done by the Clerk. Volume **IV**, section **3394**. Volume **V**, section **5781**.

The Clerk is sometimes authorized to make a merely formal amendment to a bill that has passed the House. Volume **IV**, section **3443**.

Instance wherein the Clerk was authorized to make such clerical changes in the table of contents, numbering and lettering, erroneous or superfluous cross references and other purely formal amendments as were required to conform to the action of the House and secure uniformity in typography, indentation, and numerical order of the text of a bill. Volume **VII**, section **1067**.

AMENDMENTS—Continued.**(15) Of Bills.—Procedure in the House—Continued.**

The pagination and marginal numerals are no part of the text of a bill and, after amendment, are altered, changed or transposed by the clerk to conform to the amended text without order. Volume **VIII**, section **2876**.

When a bill is considered for amendment the preamble is taken up after the body of the bill has been gone through. Volume **IV**, section **3411**.

After an amendment to the preamble of a bill has been considered it is too late to propose amendment to the text of the bill. Volume **VII**, section **1065**.

Amendments to the title of a bill are in order after its passage, and were formerly debatable even though the bill has passed under the operation of the previous question, but a later rule prohibits such debate. Volume **V**, section **5753**.

Amendments to the title of a bill are in order after its passage. Volume **VIII**, section **2906**.

Amendments to the title of a bill are in order after its passage, and are not debatable. Volume **VIII**, section **2907**.

Amendments to the title of a bill, whether considered in the House or in Committee of the Whole, are not in order until after its passage. Volume **VIII**, section **2619**.

Instance in which the title of a bill was amended on a day subsequent to its passage. Volume **VIII**, section **2877**.

When unanimous consent has been given for the consideration of a bill, amendments may be offered and may not be prevented by the objection of a Member. Volume **V**, section **5782**.

Forms of special orders by limiting the time of consideration of a bill in the House and restricting amendments. Volume **IV**, sections **3231–3236**.

Form of special order authorizing consideration of amendments not otherwise in order. Volume **VIII**, section **831**.

Amendments authorized by special order may be supplanted or amended by germane propositions of the same import though expressed in different phraseology. Volume **VII**, section **781**.

A special order may provide that certain enumerated and described amendments shall be offered to a bill, and thereby exclude amendments to these amendments or other amendments. Volume **IV**, sections **3204, 3205**.

Under a special order providing that a specified amendment “shall be voted on,” that particular amendment only must be voted on and no similar amendment or substitute, even though germane, is in order. Volume **VII**, section **782**.

An example of a special order which provided for fixing a ratio number by specifying a series of numbers which might be offered successively as amendments. Volume **IV**, section **3204**.

An instance of the difficulties arising from the terms of a special order, which permitted two substitute amendments to a bill to be pending at once. Volume **IV**, section **3206**.

In 1886 the House abandoned the rule prohibiting the amendment of one bill by offering the substance of another bill pending before the House. Volume **V**, section **5780**.

Under rules of the House which have not disappeared, it was held that a resolution of the House might not by amendment be changed to a joint resolution or a bill. Volume **IV**, sections **3376, 3377**.

A resolution of the House may not by amendment be changed to a bill. Volume **VIII**, section **3446**.

A joint resolution may be changed to a simple resolution by amendment. Volume **VII**, section **1047**.

A joint resolution was substituted for a bill in amending the census act. Volume **VII**, section **1040**.

A concurrent resolution may be changed to a joint resolution by amendment. Volume **VII**, sections **1037, 1045**.

AMENDMENTS—Continued.**(15) Of Bills.—Procedure in the House—Continued.**

A joint resolution may be changed in a concurrent resolution by amendment. Volume **VII**, sections **1043, 1044, 1046**.

A Senate joint resolution changed by amendment of the House to a concurrent resolution is still a Senate measure and the enacting clause conforms to that requirement. Volume **VII**, section **1044**.

(16) Of Bills.—In relation to Motions to Lay on the Table, Refer, and Recommit.

A proposed amendment to a pending bill being laid on the table, the bill goes there also. Volume **V**, section **5423**.

A proposed amendment being laid on the table carries with it the pending measure to which offered. Volume **VIII**, section **2656**.

The Senate has a rule that an amendment may be laid on the table without carrying the pending measure with it. Volume **V**, section **5425**.

After discussion the Senate decided out of order a motion to refer an amendment to a pending bill without the bill itself. Volume **V**, section **5557**.

The right to move the recommit a House bill with Senate amendment belongs to a Member opposed to the bill rather than to one opposed to the Senate amendment only. Volume **VIII**, section **2772**.

It is not in order to oppose in instructions embodied in a motion to recommit any proposition which would not be in order if proposed as an amendment to the bill. Volume **VIII**, sections **2701, 2703, 2704, 2707, 2710, 2712, 2726**.

The ordinary motion to recommit may be amended, as by adding instructions, unless such amendment is prevented by moving the previous question. Volume **VIII**, sections **2695, 2738, 2762**.

Unless the previous question has been ordered, instructions offered in connection with a motion to recommit may be amended. Volume **VIII**, sections **2698, 2699, 2712**.

Unless the previous question is ordered, a motion to recommit with instructions is open to amendment, and a substitute striking out all proposed instructions and substituting others can be ruled out as interfering with the right of the minority to move recommitment. Volume **VIII**, section **2759**.

A substitute proposing to amend instructions accompanying a motion to recommit must be germane. Volume **VIII**, section **2711**.

It is not in order in a motion to recommit to propose to strike out or modify an amendment previously adopted by the House. Volume **VIII**, sections **2713, 2714, 2715, 2717, 2719, 2723, 2724, 2727**.

While a motion to recommit with instructions to strike out an amendment adopted by the House is not in order, a motion is admissible accompanied by instruction striking out the text perfected by such an amendment. Volume **VIII**, sections **2698, 2727**.

While a motion to recommit may not provide instruction to strike out an amendment agreed to by the House, it may nevertheless provide instructions to insert an amendment previously rejected by the House. Volume **VIII**, section **2728**.

A special order providing that the previous question be considered as ordered "without intervening motion except one motion to recommit" was held to preclude both amendment and debate on the motion to recommit. Volume **VII**, section **776**.

(17) Of Bills.—In Committee of the Whole.

A Committee of the Whole may not alter, even by unanimous consent, an order of the House. Volume **VII**, section **786**.

In the House a motion may be withdrawn before action thereon, but in Committee of the Whole withdrawal of motions or amendments is by unanimous consent only. Volume **VIII**, sections **2465, 2859**.

In the early days of the House the times for general debate and amendment in Committee of the Whole were not so rigidly fixed as at present. Volume **IV**, section **4760**.

AMENDMENTS—Continued.**(17) Of Bills.—In Committee of the Whole—Continued.**

The rules contemplate that general debate in Committee of the Whole shall be closed by order of the House before amendments may be offered. Volume **V**, section **5221**.

In Committee of the Whole amendments are not in order until general debate has been closed. Volume **IV**, section **4744**.

In Committee of the Whole amendments are not in order on the first reading of the bill. Volume **VIII**, section **2436**.

The reading of a bill for amendment in Committee of the Whole was provided by a former rule and is continued by usage. Volume **IV**, section **4752**.

In reading a bill for the first time in Committee of the Whole committee amendments are read in full. Volume **VIII**, sections **2337**, **2864**.

Bills are read for amendment in Committee of the Whole by sections or paragraphs and amendments are not in order until the reading of the section or paragraph has been completed. Volume **VIII**, section **2866**.

Whether a bill shall be read by paragraphs, sections, or subsections when read for amendment in the Committee of the Whole is not governed by arbitrary rule but by practical considerations of convenience as determined by the Chairman. Volume **VIII**, sections **2341**, **2346**.

Portions of bills concluding with semicolons are subparagraphs and when considered in the Committee of the Whole are passed over for amendment until the major paragraph has been read in full. Volume **VIII**, section **2352**.

While under the practice of the House appropriation bills and revenue bills are read for amendment by paragraphs and other bills by sections, the Chairman has on occasion authorized the reading of such other bills by paragraphs where the text of the bill was such as to warrant it. Volume **VIII**, section **2340**.

During the reading of a bill for amendment, a paragraph or amendment when once reported may not be read a second time except by order of the committee. Volume **VIII**, section **2870**.

A special order making committee amendments to any part of the bill in order at any time was construed to permit the offering of amendments to paragraphs already passed in reading for amendment. Volume **VII**, section **792**.

In the consideration of a bill in the Committee of the Whole, the committee in charge of a bill was authorized to return to any section or paragraph which had been passed for the purpose of offering amendments. Volume **VII**, section **1067**.

In reading a bill for amendment it is not in order to return to a paragraph already acted on. Volume **VIII**, section **2898**.

The motion to return to a portion of a bill passed in reading for amendment is not privileged and a paragraph or section so passed may be again taken up by unanimous consent only. Volume **VIII**, section **2930**.

In considering a bill for amendment under the five-minute rule, it is in order to return to a paragraph already passed only by unanimous consent. Volume **IV**, sections **4746**, **4747**.

In considering a bill for amendment under the five-minute rule an amendment offered as a separate paragraph or section is not in order until the pending paragraph has been perfected and disposed of. Volume **VIII**, section **2356**.

Amendments in the form of new sections or paragraphs are not considered until all amendments to the pending section or paragraph have been disposed of. Volume **VIII**, section **2358**.

When it is proposed to offer an amendment to strike out a section consisting of several paragraphs, of a bill which is being considered by paragraphs, the amendment may be moved to the first paragraph with notice that if it be agreed to, a similar motion will be made to strike out the succeeding paragraphs as they are reached. Volume **VIII**, section **2901**.

AMENDMENTS—Continued.**(17) Of Bills.—In Committee of the Whole—Continued.**

In consideration under the five-minute rule a paragraph is not passed until the next one is read, although the Committee of the Whole may in the meantime have risen. Volume **IV**, section **3833**.

In reading a bill for amendment under the five-minute rule a paragraph is passed when an amendment proposing the adoption of a new section is entertained, but of such amendment is ruled out on a point of order, the paragraph last read is still pending. Volume **VIII**, section **2867**.

Consideration of an amendment offered as a new section closes debate and amendment on the section pending at the time the new section is offered. Volume **VIII**, section **2582**.

In reading a bill under the five-minute rule, a section or paragraph is considered as having been passed for amendment or debate when an amendment in the form of a new section or paragraph is taken up for consideration. Volume **VIII**, section **2357**.

Disposition of an amendment offered as a new section closes to debate or amendment the section pending when the amendment was offered. Volume **VIII**, section **2358**.

A paragraph passed over by unanimous consent during the reading of a bill for amendment in the Committee of the Whole is recurred to when reading of the bill has been concluded, and an earlier motion to return to it is not in order. Volume **VIII**, section **2336**.

A special order making committee amendments to any part of the bill in order at any time was construed to permit the offering of amendments to paragraphs already passed in reading for amendment. Volume **VII**, section **792**.

During consideration of a bill by sections for amendments the Chair may direct a return to a section where, by error, no action was had on a pending amendment. Volume **IV**, section **4750**.

An amendment to insert in a bill a new section having been presented and debated before an opportunity was given to amend fully the section last read, the Chairman held that it was in order to recur to the latter section. Volume **IV**, section **4749**.

A negative vote on an amendment offered to a preceding paragraph does not prevent the offering of a similar amendment as a new section. Volume **VIII**, section **2845**.

Form of special order authorizing consideration of a bill in Committee of the Whole without intervention of points of order either against provisions of the original bill or certain amendments recommended by the committee reporting the bill. Volume **VII**, section **832**.

A resolution authorizing the offering of an amendment otherwise not in order during consideration of a bill pending in Committee of the Whole was held to be privileged when reported by the Committee on Rules. Volume **VIII**, section **2258**.

Where a special order provided for a vote on an amendment at a designated time, the Chairman at that time put the question, and pending amendments to the amendment were not acted upon. Volume **VII**, section **795**.

When a House bill with Senate amendments is committed to the Committee of the Whole that committee considers only the amendments. Volume **V**, section **6192**.

In Committee of the Whole a Senate amendment, even though it be very long, is considered as an entirety and not by paragraphs or sections. Volume **V**, section **6194**.

A Senate bill with a proposed committee amendment in the nature of a substitute being under consideration in Committee of the Whole, the bill was first read by sections for amendment, and then the substitute was perfected. Volume **IV**, section **4741**.

The rule governing the five-minute debate on amendments in Committee of the Whole. Volume **V**, section **5221**.

Pro forma amendments were in use in five-minute debate as early as 1868. Volume **V**, section **5778**.

The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments, but this does not preclude further amendment. Volume **V**, section **2566**.

AMENDMENTS—Continued.**(17) Of Bills.—In Committee of the Whole—Continued.**

After debate under the five-minute rule has begun on an amendment the motion to close debate is privileged. Volume **VIII**, section **2567**.

A motion to close debate in Committee of the Whole is in order at any time after the five-minute debate begins and is not precluded because there has been no debate in opposition to the pending amendment. Volume **VIII**, section **2578**.

Closing debate under the five-minute rule on a section does not preclude the offering of amendments. Volume **VIII**, section **2579**.

The closing debate on a section and all amendments thereto applies to amendments offered subsequently. Volume **VIII**, section **2580**.

A motion to close debate on the pending section and amendments thereto does not apply to amendments proposing a new section. Volume **VIII**, section **2582**.

The committee having by vote fixed the time for closing debate on a pending section and amendments thereto, a motion to change such time is not in order. Volume **VIII**, section **2588**.

An order having been adopted by the Committee of the Whole closing all debate on a section, the chairman declined to entertain request for unanimous consent to amend the order. Volume **VIII**, section **2589**.

An order of Committee of the Whole closing debate on the pending section and amendments thereto is not applicable to a motion to strike out the enacting clause. Volume **VIII**, section **2632**.

A motion that the Committee of the Whole report a bill with the recommendation that it be referred may not be made until it has been read for amendments. Volume **IV**, sections **4761**, **4762**.

A bill may not be laid aside with a favorable recommendation in Committee of the Whole until the reading for amendment is completed. Volume **IV**, sections **4759**, **4760**.

In Committee of the Whole a motion to amend a bill has precedence over a motion to rise and report it. Volume **VIII**, section **2364**.

The reading of a bill for amendment in Committee of the Whole being concluded, a motion to strike out the enacting clause is not order. Volume **VIII**, section **2368**.

The requirement as to consideration in Committee of the Whole applies to amendments as well as to bills. Volume **IV**, sections **4793**, **4794**.

A bill being alleged to be improperly before the Committee of the Whole, a motion to report it with recommendations was held in order before it had been considered for amendment. Volume **IV**, section **4784**.

When a special order directs a Committee of the Whole to report “pending amendments” this does not include an amendment only partially read when the Committee of the Whole rises. Volume **IV**, section **3229**.

A Committee of the Whole ordinarily reports only such amendments as it has agreed to, but sometimes, by direction of a special order, it reports also amendments pending and undisposed of when it rises. Volume **IV**, sections **3225–3228**.

The fact that a proposition has been rejected by the Committee of the Whole does not prevent it from being offered as an amendment when the subject comes up in the House. Volume **IV**, sections **4878–4880**.

An instance where the Committee of the Whole reported a new resolution in lieu of one referred to it. Volume **IV**, section **4878**.

In the Committee of the Whole an amendment to the preamble of a bill or joint resolution is considered after the bill has been read for amendment. Volume **VII**, section **1065**.

(18) Of Bills.—Action on When Reported from Committee of the Whole.

It is a frequent practice for the House, by unanimous consent, to act at once on all the amendments to a bill reported from the Committee of the Whole, but it is the right of any Member to demand a separate vote on any amendment. Volume **IV**, sections **4893**, **4894**.

AMENDMENTS—Continued.**(18) Of Bills.—Action on When Reported from Committee of the Whole—Continued.**

Form of rule authorizing Members to demand a separate vote on each amendment recommended by the Committee of the Whole. Volume **VII**, section **803**.

A separate vote in the House on a perfecting amendment offered in the Committee of the Whole and incorporated in an amendment reported to the House is not in order and may be had only by unanimous consent. Volume **VIII**, sections **2422, 2427**.

The previous question may be moved on a portion of the amendments to a bill reported from the Committee of the Whole, leaving the remaining amendments open to debate and amendment. Volume **VIII**, section **2679**.

Amendments reported from the Committee of the Whole should be voted on in the order in which they are reported, although they may be inconsistent one with another. Volume **IV**, sections **4881, 4882**.

All amendments to a bill reported from the Committee of the Whole stand on an equal footing, and must be voted on by the House. Volume **IV**, section **4871**.

A proposition reported from the Committee of the Whole, as an entire and distinct amendment, may not be divided, but must be voted on in the House as a whole. Volume **IV**, sections **4883–4892**.

An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. Volume **IV**, sections **4900–4903**.

When a Senate bill is reported by the Committee of the Whole with an amendment in the nature of a substitute and the House rejects the substitute, and the previous question is operating, the vote recurs on the Senate bill without amendment. Volume **VIII**, section **2427**.

The practice of report Committee of the Whole amendments only in their perfected forms had its origin in an old rule. Volume **IV**, section **4904**.

The Committee of the Whole having reported two amendments as distinct, the one from the other, the Speaker held that they should be considered independently, although apparently one was a proviso attaching to the other. Volume **IV**, section **4905**.

If a Committee of the Whole amend a paragraph and subsequently strike out the paragraph as amended, the first amendment falls, and is not reported to the House or voted on. Volume **IV**, section **4898**. Volume **VIII**, section **2421**.

When a bill is reported from the Committee of the Whole with amendments it is in order to submit additional amendments, but the first question is on the amendments reported. Volume **IV**, sections **4872–4876**.

An amendment reported from the Committee of the Whole may not be withdrawn, and a question as to its validity is not considered by the Speaker. Volume **IV**, section **4900**.

Amendments reported to the House by the Committee of the Whole are subject to amendment and the bill itself is open to amendment in the House unless the previous question is ordered. Volume **VIII**, section **2419**.

The right to debate and amend a bill reported from the Committee of the Whole depends upon the will of the House. Volume **IV**, section **4895**.

Amendments rejected in Committee of the Whole are not reported to the House. Volume **IV**, section **4877**.

An amendment reported from Committee of the Whole striking out all after the enacting clause of a bill and inserting new matter is, when reported, treated like any other amendment reported from that committee. Volume **V**, section **5341**.

The rejection of an amendment by the Committee of the Whole does not preclude the offering of the same amendment in a motion to recommit with instructions. Volume **VIII**, section **2700**.

The recommendation of the Committee of the Whole to recommit a bill being decided in the negative, the question was held to recur on the amendments and bill under a special rule ordering the previous question on the bill and amendments to final passage. Volume **VIII**, section **2375**.

AMENDMENTS—Continued.**(18) Of Bills.—Action on When Reported from Committee on the Whole—Continued.**

A special rule, ordering the previous question on a pending bill and amendments to final passage when reported from the Committee of the Whole, was held not to preclude a recommendation by the Committee on the Whole that the bill be recommitted. Volume **VII**, section **777**.

The Committee of the Whole having decided between two propositions and the House having agreed to the amendment embodying that decision, it was held to be in order in the House to move to recommit, with instructions that in effect brought the two propositions to the decision of the House. Volume **V**, section **5592**.

The Committee of the Whole having recommended disagreement to a Senate amendment, and the House having negatived a motion to concur in the recommendation, it was held that the House had agreed to the amendment. Volume **V**, section **6168**.

The hour for taking a vote having arrived an amendment pending and undisposed of in Committee of the Whole at the time is not acted on in the House. Volume **IV**, section **4910**.

When the Committee of the Whole is discharged from the consideration of a bill the House, in lieu of a report from the Chairman, accepts the minutes of the Clerk as evidence of amendments agreed to. Volume **IV**, section **4922**.

(19) Of Bills.—In the House as in Committee of the Whole.

When a bill is considered “in the House as in Committee of the Whole” it is read the first time by title only and immediately thereafter by sections for amendment under the five-minute rule. Volume **VIII**, section **2433**.

Consideration “in the House as in Committee of the Whole” comprises reading for amendment and debate under the five-minute rule without general debate. Volume **VIII**, section **2431**.

Union Calendar bills considered in the House as in the Committee of the Whole are read for amendment under the five-minute rule by section and not by paragraphs. Volume **VIII**, section **2434**.

A bill being under consideration “in the House as in Committee of the Whole” an amendments has been completed. Volume **IV**, sections **4933**, **4934**.

During consideration of a bill “in the House as in Committee of the Whole” the previous question may be demanded while Members yet desire to offer amendments. Volume **IV**, sections **4925–4929**.

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. Volume **IV**, section **3416**.

(20) Of Bills.—Perfecting Paragraphs Proposing Legislation on General Appropriation Bills.

A paragraph which proposes legislation in a general appropriation bill, being permitted to remain, may be perfected by a germane amendment. But this does not permit an amendment which adds additional legislation. Volume **VII**, sections **1405**, **1413**, **1414**, **1415**, **1416**, **1420**, **1425**, **1431**, **1435**, **1600**, **3054**.

A paragraph which proposes legislation is a general appropriation bill being permitted to remain, it may be perfected by any germane amendment. Volume **IV**, sections **3823–3835**.

When a paragraph which changes existing law has been by general consent allowed to remain it may be perfected by any germane amendment. Volume **IV**, section **5805**.

In an appropriation bill a paragraph embodying legislation may be perfected by a germane amendment, but this does not permit an amendment which adds additional legislation. Volume **IV**, sections **3836**, **3837**.

Where a Senate amendment proposes on a general appropriation bill an expenditure not authorized by law or legislation, it is in order in the House to perfect it by germane amendments. Volume **IV**, sections **3913–3916**.

AMENDMENTS—Continued.**(20) Of Bills.—Perfecting Paragraphs Proposing Legislation on General Appropriation Bills—Continued.**

A proposition germane but involving legislation has sometimes been admitted as an amendment to a Senate amendment to an appropriation bill and sometimes ruled out. Volume **IV**, sections **3909–3912**.

A paragraph in an appropriation bill changing existing law may be perfected only by germane amendments. Volume **IV**, section **3838**.

Pending the engrossment of a general appropriation bill an amendment proposing legislation may be authorized by the adoption of a report from the Committee on Rules. Volume **IV**, section **3844**.

An amendment to the description of the object for which an appropriation is made is not legislation. Volume **IV**, section **3864**.

(21) Of Bills.—By the Senate Generally.

A clause stricken out on a point of order but inadvertently retained in the bill when massaged to the Senate, was held to be a part of the text when the bill is taken from the Speaker's table with Senate amendments. Volume **VIII**, section **3345**.

Either House may amend a bill of the other before passing it. Volume **V**, section **6163**.

A House bill massaged from the Senate with amendments requiring consideration in Committee of the Whole goes to the Speaker's table, and if not disposed of by unanimous consent is referred by the Speaker to its appropriate committee. Volume **VI**, section **732**. Volume **VIII**, section **3187**.

Instance wherein a motion to suspend the rules was utilized in taking a bill from the Speaker's table and agreeing to Senate amendments. Volume **VIII**, section **3425**.

A motion to suspend the rules and take from the Speaker's table for consideration a House bill with Senate amendments being rejected, the bill is referred directly from the Speaker's table, to the standing committee having jurisdiction. Volume **VI**, section **733**.

A motion to take from the Speaker's table a House bill with Senate amendments, disagree to the amendments, and send to conference, precludes the motion to concur and is not in order. Volume **VIII**, section **2387**.

A House bill returned with Senate amendment requiring consideration in the Committee of the Whole may not be called up for consideration but is referred directly from the Speaker's table to the standing committee having jurisdiction. Volume **VI**, section **731**.

Instance wherein a bill with Senate amendments was taken from the Speaker's table and the Senate amendment agreed to by resolution from the Committee on Rules. Volume **VIII**, section **3149**.

The length of time a House bill transmitted from the Senate with Senate amendments lies on the Speaker's table before reference is within the discretion of the Speaker. Volume **VIII**, section **2391**.

One House may amend a bill of the other by striking out all after the enacting clause and inserting a new text. Volume **V**, section **6321**.

A Senate amendment is not subject to the point of order in the House that it is not germane to the House bill. Volume **VIII**, section **3425**.

Where the Senate had amended a House bill by striking out a section it was held in order in the House to concur with an amendment inserting a new text in lie of that stricken out. Volume **V**, section **6186**.

In amending a Senate amendment the House is not confined within the limits of amount set by the original bill and the Senate amendment. Volume **VIII**, section **6186**.

An amendment of one House being amended by the other, the first House may amend the last amendment, but further amendment is not permissible. Volume **V**, sections **6176, 6177**.

A bill of one House being passed in the other with amendment, the originating House may concur with an amendment, whereupon the other House may concur with still another amendment, but here the process stops. Volume **V**, section **6163**.

AMENDMENTS—Continued.**(21) Of Bills.—By the Senate Generally—Continued.**

A motion proposing a substitute for a Senate amendment yields to a motion for a perfecting amendment. Volume **VIII**, section **3184**.

An instance of substitute amendments between the Houses carried to the furthest degree. Volume **V**, section **6178**.

One House may agree outright in an amendment of the other, may agree with an amendment, or may disagree outright. Volume **V**, section **6163**.

When the originating House disagrees to the amendment of the other House the latter may recede from or insist on its own amendment, but may not couple an amendment with this action. Volume **V**, section **6163**.

When the House disagrees to a Senate amendment after amending it the adopted amendment is of no effect. Volume **V**, section **6169**.

A bill with amendments of the other House is privileged after the stage of disagreement has been reached. Volume **VI**, section **756**.

A motion being made to agree to an amendment of the other House with an amendment, it is in order to perfect that amendment by another amendment and a substitute. Volume **V**, section **6175**.

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to recommit is in order. Volume **VIII**, section **2744**.

The House having receded from its disagreement to Senate amendments they are open to amendment precisely as before the original disagreement. Volume **V**, sections **6212–6214**.

The process of amending Senate amendments in Committee of the Whole and the subsequent agreement of the House to the amendments as amended. Volume **V**, section **6193**.

Under the later practice, Senate amendments when reported from the Committee of the Whole are voted on en bloc and only those amendments are voted on severally on which a separate vote is demanded. Volume **VIII**, section **3191**.

General appropriation bills with Senate amendments reported back to the House from the Committee on Appropriations are privileged and are subject to motions authorized by the Committee. Volume **VIII**, section **3187**.

In the consideration of Senate amendments in the House an amendment must be germane to the particular Senate amendment to which it is offered, it not being sufficient that it should be germane to provisions of the bill. Volume **V**, sections **6188–6191**.

In amending a Senate amendment the House is not confined within the limits of amount set by the original bill and the Senate amendment. Volume **V**, section **6187**.

The inability of the two Houses to agree on even the slightest amendment to a bill causes the loss of the bill. Volume **V**, sections **6233–6240**.

House bills with Senate amendments which do not require consideration in a Committee of the Whole are privileged and may be called up from the Speaker's table for immediate consideration. Volume **VI**, section **728**.

(22) Bills.—By the Senate in Revenue Matters.

Revenue bills must originate in the House, but the Senate may concur with amendments. Volume **II**, section **1480**.

Instances wherein the Senate has acquiesced in the constitutional requirement as to revenue bill while holding to a broad power of amendment. Volume **II**, sections **1497–1499**.

In 1872 the House and Senate, after discussion disagreed as to limitations of Senate amendments to a revenue bill of the House. Volume **II**, section **1489**.

In 1874 the House declined to take issue with the Senate over an amendment of that body authorizing certain Government obligations. Volume **II**, section **1490**.

Instance wherein proposed Senate amendments to a revenue bill were questioned in the House as an invasion of the constitutional prerogatives in relation to revenue legislation. Volume **VI**, section **322**.

AMENDMENTS—Continued.**(22) Of Bills.—By the Senate in Revenue Matters—Continued.**

The Senate having added certain revenue amendments to a nonrevenue House bill, the House ordered the bill to be returned to the Senate. Volume **II**, section **1495**.

It is for the House and not the Speaker to decide whether or not a Senate amendment to a revenue bill violates the privileges of the House. Volume **II**, section **1322**.

A question relating to the invasion of the constitutional prerogatives of the House by a Senate amendment comes too late after the bill has been sent to conference. Volume **VI**, section **314**.

Instance wherein a Senate amendment affecting the revenue was not objected to until the stage of conference. Volume **VI**, section **314**.

(23) Of Bills.—Senate Amendments in Relation to Precedence of Motions.

The motion to amend an amendment of the other House has precedence of the motion to agree or disagree. Volume **V**, sections **6164**, **6169–6171**.

When Senate amendments are taken up for the first time, the motion to concur with an amendment takes precedence over the simple motion to concur, but after the House has disagreed the order is reversed and subsequently the motion to recede and concur takes precedence over the motion to recede and concur with an amendment. Volume **VIII**, sections **3200**, **3202**, **3203**.

The stage of disagreement not being reached, the motion to concur in an amendment of the other House with an amendment has precedence of the simple motion to concur. Volume **V**, section **6321**.

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **VIII**, section **3198**.

Amendments being in issue between the Houses, the motion to recede may be repeated at a new stage of the proceedings. Volume **V**, section **6207**.

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **V**, sections **6219–6223**.

A question of personal privilege has been given precedence over privileged Senate amendments remaining to be disposed of after the rejection of a conference report. Volume **III**, section **2531**.

(24) Of Bills.—Senate Amendments Considered in the House

For the purposes of amendment, a Senate amendment has the status of an original bill when considered in the House, and the four amendment permitted by the rule may be pending simultaneously. Volume **VIII**, sections **2825**, **2939**.

When a House bill with Senate amendments is taken from the Speaker's table and laid before the House the Senate amendments must be reported, and any Member may demand a separate vote on any amendment. Volume **VIII**, section **2400**.

When Senate amendments to a House bill are considered in the House a separate vote may be had on each amendment. Volume **VIII**, section **2383**.

Senate amendments taken up in the House are read before consideration begins. Volume **VII**, section **1058**. Volume **VIII**, section **3232**.

A special order to lay before the House a bill on the Speaker's table with the previous question ordered on a motion to concur in Senate amendments, does not prevent submission of a motion to recommit. Volume **VII**, section **778**.

When Senate amendments to a House bill are considered in the House they are taken up in their order. Volume **V**, sections **6197**, **6198**.

A motion to lay on the table a House bill returned with Senate amendments is in order. Volume **V**, sections **6201–6203**.

AMENDMENTS—Continued.**(24) Of Bills.—Senate Amendments Considered in the House.—Continued.**

Early instances where one House postponed to an indefinite time bills returned from the other with amendments disagreed to and requests for a conference. Volume **V**, section **6199**.

Form of special order for considering numerous Senate amendments to a House bill without permitting debate and a vote on each separate amendment, and for asking a conference at the same time. Volume **IV**, sections **3243–3249**.

Form of unanimous-consent agreement for the consideration of a Senate amendment. Volume **VIII**, section **3187**.

One House may pass a bill with blanks to be filled by the other House. Volume **V**, section **5781**.

Correction of an error whereby a Senate amendment to a House bill had failed to be included in a message. Volume **V**, section **6606**.

(25) Of Bills.—Senate Amendments Not to Change Text to which Both Houses Have Agreed.

When a bill with Senate amendments is taken from the calendar for consideration, only the amendments are before the House, and the remainder of the bill, having been agreed to by both Houses, is not subject to further consideration. Volume **VIII**, section **3187**.

In considering in the House Senate amendments to a House bill it is not in order to change the text to which both Houses have agreed. Volume **V**, section **6180**.

The House may not, even by unanimous consent, change the text to which both Houses have agreed. Volume **V**, section **6179**.

The text to which both Houses have agreed may not be amended, even by adding a new section at the end of the bill. Volume **V**, section **6182**.

The text to which both Houses have agreed may not be changed in the slightest particular. Volume **V**, section **6181**.

The text to which both Houses have agreed may not be changed except by the unanimous consent of both Houses. Volume **V**, sections **6433–6436**.

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed, does not constitute a reason why the Speaker should rule it out. Volume **V**, sections **6183–6185**.

(26) Of Bills.—Senate Amendments and Principles as to Receding in Relation Thereto.

By receding from its disagreement to a Senate amendment, the House does not thereby agree to the same. Volume **V**, section **6215**.

One House having receded from certain of its amendments, may not at a subsequent stage recall their action in order to form a new basis for a conference. Volume **V**, section **6251**.

An instance wherein one House receded from its own amendment after the other House had returned it concurred in with an amendment. Volume **V**, section **6266**.

Both Houses insisting and neither asking a conference, the bill failed. Volume **V**, section **6228**.

It was very early insisted on as a principle, that where one House proposes to an appropriation bill an amendment firmly resisted by the other, the proposing House should recede. Volume **IV**, section **3905**.

(27) Of Bills.—Senate Amendments and Principles as to Adherence in Relation Thereto.

when both Houses have insisted neither inclining to recede, it is in order to adhere, but in parliament adherence is not usually voted until these have been at least two conferences. Volume **V**, section **6163**.

One House after an amendment or disagreement by the other, may at once adhere, but this does not preclude the granting of the request of the other House for a conference. Volume **V**, sections **6241–6244**.

An instance of immediate adherence to a first disagreement. Volume **V**, section **6303**.

AMENDMENTS—Continued.**(27) Of Bills—Senate Amendments and Principles as to Adherence in Relation Thereto—Continued.**

The Senate having disagreed to an amendment of the House, and the House having insisted, the Senate adhered, whereupon the House, for the first time asked a conference, which was granted. Volume **V**, section **6309**.

The House may recede from its disagreement to certain amendments and adhere to it as to others. Volume **V**, section **6229**.

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. Volume **V**, section **6253**.

Instances where after one House had adhered the other receded. Volume **V**, sections **6247–6250**. One House having adhered may, at the next stage, vote to further adhere. Volume **V**, section **6251**.

A vote to adhere may not be accompanied by a request for a conference. Volume **V**, section **6303**. The House that votes to adhere does not ask a conference, but the other House may. Volume **V**, section **6308**.

Conferences are not asked after an adherence by both Houses, but have often been asked and granted where only one House has adhered. Volume **V**, sections **6241–6244**.

An instance wherein the Senate disregarded a request for a conference and voted to adhere. Volume **V**, section **6315**.

After an adherence by one House the other has asked a conference both with and without having voted to insist. Volume **V**, sections **6242–6244**.

One House having adhered the other may further insist and ask a conference. Volume **V**, sections **6245, 6245**.

One House, having adhered, may recede from its adherence and agree to a conference asked by the other. Volume **V**, section **6251**.

An adherence by both Houses to disagreement over amendments causes a bill to fall. Volume **V**, section **6163**.

In many instances bills have been lost by the adherence of both Houses, sometimes in earlier days, when no effort at adjustment by conference had been made. Volume **V**, sections **6233–6240**.

Bills on which one House had adhered have been lost by the expiration of the Congress, even while the roll was being called, on a motion to recede that might have passed the bill. Volume **V**, sections **6230–6232**.

Instance where a House bill returned with Senate amendments adhered to was postponed indefinitely. Volume **V**, section **6200**.

(28) Of Bills.—Senate Amendments and Conferences Thereon.

While the rule requires the reference to the appropriate standing committee of House bills returned with Senate amendments requiring consideration in the Committee of the Whole, the usual practice is to take such bills from the Speaker's table and send them to conference by unanimous consent. Volume **VI**, section **732**.

Form of special order discharging committee from further consideration of House bill with Senate amendments and asking conference. Volume **VII**, sections **820, 821**.

Forms of special order making in order a motion to take from the Speaker's table and send to conference bill with senate amendments. Volume **VII**, section **822**.

Motions for conference are not in order until all Senate amendments have been disposed of. Volume **VIII**, section **3210**.

It was formerly the more regular practice for the House disagreeing to amendments of the other to leave the asking of a conference to that other House. Volume **V**, sections **6278–6285**.

It is so unusual in later practice for the House disagreeing to an amendment of the other to ask a conference, that an omission so to do caused a question. Volume **V**, section **6273**.

AMENDMENTS—Continued**(28) Of Bills.—Senate Amendments and Conferences Thereon—Continued.**

One House may pass a bill of the other with amendments, and immediately without waiting for the other House to disagree, may ask a conference. Volume **VIII**, section **3214**.

Conferences are generally held in the Senate portion of the Capitol, and with closed doors, although in rare instances Members and others have been admitted to make arguments (foot-note). Volume **V**, section **6254**.

Sometimes one House disregards the request of the other for a conference and recedes from its disagreement, thereby rendering a conference unnecessary. Volume **V**, sections **6316–6318**.

While the managers may perfect by germane amendments propositions committed to them, they may not, under the later practice, go beyond the differences of the two Houses in so doing. Volume **V**, sections **6409–6413**.

Where one House strikes out all of a bill of the other after the enacting clause and inserts a new text, conferees have a wide discretion in incorporating germane amendments and may even report a new bill on the subject. Volume **VIII**, section **3263**.

The House having rejected a motion to further insist and agree to a conference asked by the Senate, the Speaker ruled that a motion to ask a conference was not in order at the same stage. Volume **V**, section **6269**.

When any portion of a conference report is ruled out on a point of order the effect is as if the report had been rejected by a vote of the House, and motions for dispositions of Senate amendments and for conference are in order de novo. Volume **VIII**, sections **3256, 3257, 3259**.

It has been held that a resolution from a committee recommending a request for a conference on certain disagreements as to amendments must be acted on before the preferential motion to agree. Volume **V**, section **6271**.

Conference reports are sometimes amended by concurrent action of the two Houses. Volume **V**, sections **6536, 6537**.

A provision changing the text to which both Houses have agreed has been appended to a conference report and agreed to by unanimous consent after acting on the report. Volume **V**, sections **6433–6436**.

Managers may report an agreement as to a portion of the amendments in disagreement, leaving the remainder to be disposed of by subsequent action. Volume **V**, sections **6461–6464**.

Under the practice, it is customary for conferees to bring in a conference report on items agreed upon and report disagreement on all amendments coming within the rule and, the conference report having been agreed to, amendments in disagreement are then voted upon separately. Volume **VII**, section **1572**.

A pending conference report must be disposed of before motions are in order for disposition of amendments in disagreement. Volume **VIII**, section **3249**.

When conferees report that they have been unable to agree, the report is not acted on, and need not be printed in the Record before the amendments in disagreement are again taken up in the House. Volume **VIII**, section **3299**.

Form of conference report wherein differences as to an amendment are settled by amending it. Volume **V**, section **6323**.

Form of conference report wherein one House recedes from certain amendments, while the other recedes from its disagreement to certain others. Volume **V**, section **6323**.

Where the House had acted on a conference report, thereby discharging its conferees, the Senate being unable to comply with its rule recommitting invalidated conference reports to committees of conference, requested further conference without taking further action on the amendments in disagreement. Volume **VIII**, section **3279**.

AMENDMENTS—Continued.**(29) Germane Amendments.—Rule and General Principles.**

Definition of the term “germane.” Volume **VIII**, section **2993**.

One of the functions of the rule requiring germaneness is to preclude consideration of legislation which has not been considered in committee and for this reason the rule should be invoked with particular strictness against amendments proposing substitutes for an entire bill. Volume **VIII**, section **2912**.

The rule of germaneness applies to the relation between a proposed amendment and the pending bill to which offered and not to the relation between such amendment and an existing law of which the pending bill is amendatory. Volume **VIII**, section **2909**.

The burden of proof of the germaneness of an amendment rests upon its proponents. Volume **VIII**, section **2995**.

In passing on the germaneness of an amendment, the Chair considers the relation of the amendment to the bill as modified by the Committee of the Whole at the time at which offered, and not as originally referred to the committee. Volume **VIII**, section **2910**.

An amendment which would have been in order if offered when the bill was first taken up for consideration, was held not germane to the bill as modified after portions of the bill had been stricken out by amendments in the Committee of the Whole. Volume **VIII**, section **2910**.

A rule of the House requires that an amendment must be germane. Volume **V**, section **5801**.

An amendment must be germane to the subject which it is proposed to amend. Volume **V**, section **5767**.

The principle of germaneness relates to a proposition by which it is proposed to modify some pending bill, and not to a portion of the bill itself. Volume **V**, section **6929**.

An Amendment simply striking out words already in a bill may not be held not germane. Volume **V**, section **5805**.

The rule that amendments shall be germane applies to amendments reported by committees. Volume **V**, section **5806**.

While a committee may report a bill embracing different subjects, it is not in order during consideration in the House to introduce a new subject by way of amendment. Volume **V**, section **5825**.

Whether or not an amendment be germane should be judged from the provisions of its text rather than from the purposes which circumstances may suggest. Volume **V**, sections **5783**, **5803**.

Reason for the rule requiring that amendments be germane. Volume **V**, section **5866**.

Review of the history of the rule requiring amendments to be germane. Volume **V**, section **5825**.

Under the common parliamentary law amendments need not be germane. Volume **V**, section **5825**.
A decision in the Senate that an amendment need not under the parliamentary law be germane. Volume **V**, section **5802**.

An amendment once rejected may be again proposed at another place in the bill to which germane. Volume **VIII**, section **2844**.

In determining the germaneness of amendments offered to a bill the title of the bill is not taken into consideration. Volume **VIII**, sections **1489**, **2916**.

An amendment to the second title of a bill was held not germane to the first title of the bill. Volume **VIII**, section **2923**.

An amendment to a Senate amendment must be germane not only to the bill but to the Senate amendment to which offered. Volume **VIII**, section **2936**.

An amendment, which adopted would constitute a public bill, is not germane to a private bill. Volume **VII**, section **860**.

The rule providing that amendments must be germane has been construed as requiring that the fundamental purpose of an amendment be germane to the fundamental purpose of the bill to which it is offered. Volume **VIII**, section **2911**.

AMENDMENTS—Continued.**(29) Germane Amendments.—Rule and General Principles—Continued.**

One method of attaining an object is not germane to another method of attaining such object unless closely related. Volume **VIII**, section **2978**.

The mere fact that an amendment proposes to attain the same end sought to be attained by the bill to which offered does not render it germane. Volume **VIII**, section **2912**.

To a proposition to effect a purpose by one method a proposal to effect the same purpose by a different and unrelated method is not germane. Volume **VIII**, section **2912**.

The fact that two subjects are related does not necessarily render them germane. Volume **VIII**, sections **2970**, **2971**, **2995**.

(30) Germane Amendments.—Practice as to, in Relation to Various Propositions.

It is not in order to amend a pending privileged proposition by adding a matter not privileged and not germane to the original proposition. Volume **V**, sections **5809**, **5810**.

A privileged proposition may not be amended by adding thereto matter not privileged or germane to the original question. Volume **V**, section **5890**.

An amendment which would have changed a resolution of inquiry to one of instruction was held to be not germane. Volume **V**, section **5804**.

While the managers may perfect by germane amendments propositions committed to them, they may not under the later practice go beyond the differences of the two Houses in so doing. Volume **V**, sections **6409–6513**.

It is in order, by a motion to insert, to effect a transfer of paragraphs from the latter to the first portion of a bill. Volume **V**, sections **5775**, **5776**.

When it is proposed to refer with instructions, an amendment to the instructions should be germane thereto. Volume **V**, section **6888**.

Instance of an amendment changing the character of a resolution by striking out the word “not.” Volume **I**, section **522**.

Under circumstances where the omission of language would sufficiently change the purport of the text to present another subject a motion to strike out has been held not to be germane. Volume **VIII**, section **2921**.

An amendment which by striking out a portion of the text changes in purpose and scope of the bill is not germane. Volume **VIII**, section **2920**.

An amendment which by striking out words would change a privileged proposition to an unprivileged proposition was held not to be in order. Volume **VIII**, section **2919**.

While an amendment proposing to strike out language in a pending bill can not ordinarily be rule out of order as not germane, yet, if the effect of striking out such language so affects the scope and import of the text as to present a different subject from that under consideration it is not germane. Volume **VIII**, section **2918**.

A proposal to eliminate portions of a text thereby extending the scope of its provisions to other subjects than those originally presented is in violation of the rule requiring germaneness. Volume **VIII**, section **2917**.

To a proposal to dismiss officers violating the “Federal prohibition laws” an amendment striking out the word “Prohibition” was held not to be germane. Volume **VIII**, section **2917**.

A proposal to strike out a portion of a text may not be germane to the proposition involved. Volume **VIII**, section **2917**.

(31) Germane Amendments.—Should Relate to Paragraph or Section of Bill.

Under the later decision the principle has been established that an amendment should be germane to the particular paragraph or section to which it is offered. Volume **V**, sections **5811–5820**.

An amendment must be germane to the section or paragraph to which it is offered. Volume **VIII**, sections **2922**, **2925**, **3036**.

Amendments proposing new paragraphs should conform in germaneness to the section of the bill to which proposed. Volume **VIII**, section **2933**.

AMENDMENTS—Continued.**(31) Germane Amendments.—Should Related to Paragraph or Section of Bill—Continued.**

An amendment inserting an additional section should be germane to the portion of the bill where it is offered. Volume **V**, section **5822**.

An amendment should be germane to that portion of the bill to which offered. Volume **VIII**, sections **2927, 2931**.

While an amendment offered as a new paragraph must be germane to that portion of the bill to which offered, it is not required to be germane to the preceding paragraph. Volume **VII**, section **1162**. Volume **VIII**, section **2934**.

While an amendment offered as anew paragraph must be germane to that portion of the bill to which offered, its relative order with other paragraphs is not otherwise prescribed. Volume **VIII**, section **1224**.

An amendment inserting an additional section should be germane to the portion of the bill to which offered. Volume **VII**, section **2930**.

While an amendment offered as a separate paragraph must be germane to that portion of the bill to which proposed, it is sufficient if offered to that portion of the bill relating to the department of government under which it properly belongs and the fact that it is not intimately related to the paragraphs immediately preceding or immediately following does not render it subject to a point of order. Volume **VIII**, section **2932**.

An amendment making appropriation for the bureau of mines is not germane to provisions for the public land service of the United States Geological Survey carried in the bill to which proposed, but the three are under the Department of the Interior and as the last two were not intimately related to the first was held in order for insertion between the other two and to be germane to that portion of the bill. Volume **VIII**, section **2932**.

The rule on germaneness does not necessarily require that an amendment offered as a separate section be germane to the preceding section of the bill or to any other particular section of the bill, but it is sufficient that it is germane to the subject matter of the bill as a whole. Volume **VIII**, section **2935**.

It is not sufficient that an amendment proposed to a pending amendment be germane to the bill but it must also be germane to the amendment to which it is offered. Volume **VIII**, section **2924**.

An amendment germane to a bill as a whole, but hardly germane to any one section, may be offered at an appropriate place with notice of motions to strike out following sections which it would supersede. Volume **V**, section **5823**.

A bill being considered under exceptional circumstances, an amendment germane to the bill but not strictly germane to the section was admitted. Volume **V**, section **5821**.

In the consideration of Senate amendments in the House an amendment must be germane to the particular Senate amendment to which it is offered, it not being sufficient that it should be germane to provisions of the bill. Volume **V**, sections **6188–6191**.

An amendment should be germane not only to the subject matter of the bill but also to the particular section of the bill in which it is proposed to insert the amendment. Volume **V**, section **2923**.

(32) Germane Amendments.—An Individual Proposition Not to be Amended by Another

An amendment proposing to add an individual proposition to a bill embodying another individual proposition is not admissible even though the two propositions belong to the same class. Volume **VIII**, sections **2951–2953, 2963–2966, 3047**.

A private bill for the benefit of a collection of individuals, ascertainable by name, may not be amended so as to extend its provisions to a class of individuals not definitely ascertainable. Volume **VII**, section **860**.

To a bill proposing the admission of one Territory into the Union an amendment proposing the admission of another Territory is not germane. Volume **V**, section **5529**.

To a bill for the relief of one individual an amendment providing a similar relief for another individual is not germane. Volume **V**, sections **5826–5829**.

AMENDMENTS—Continued.**(32) Germane Amendments.—An Individual Proposition Not to be Amended by Another—Continued.**

- A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual, even indirectly, through a motion to recommit with instructions. Volume **IV**, section **3296**.
- A resolution from the Committee on Rules providing for the consideration of a bill relating to a certain subject may not be amended by a proposition for the consideration of another and not germane subject. Volume **V**, sections **5834–5836**.
- To a provision for an additional judge in one Territory an amendment providing for an additional judge in another Territory was held not to be germane. Volume **V**, section **5830**.
- To a bill providing for extermination of the cotton boll weevil an amendment including the gypsy moth was held not to be germane. Volume **V**, section **5832**.
- To a paragraph appropriating for a clerk to one committee an amendment providing for a clerk to another committee was held not to be germane. Volume **V**, section **5833**.
- To a provision providing clerks for the Members of one House an amendment providing them for Members of the other House has at different times been held both germane and not germane. Volume **V**, sections **5899, 5900**.
- To a bill pensioning veterans of the Indian wars an amendment pensioning veterans of the Texas rangers engaged in opposing “Mexican marauders and Indian depredations” was held not to be germane. Volume **VIII**, section **2960**.
- To a bill for the relief of dependents of men in the Regular Army an amendment proposing to extend the benefits of the act to dependents of men in the National Guards and the Reserve Corps was held not to be germane. Volume **VIII**, section **2953**.
- To a proposition that the Secretary of War issue medals to personnel of the Army an amendment proposing that Secretaries of other departments issue similar medals to personnel of the Navy and Coast Guard is not germane. Volume **VIII**, section **2952**.
- To a bill for the relief of women and children in Germany an amendment providing similar relief for Porto Rico was held not to be germane. Volume **VIII**, section **2959**.
- To a bill regulating the sale of friar lands in the Philippine Islands an amendment including the Crown lands of the Philippine Islands was held not to be germane. Volume **VIII**, section **2957**.
- To a bill providing for the erection of a statue of General Von Steuben an amendment substituting a proposition for the erection of a statue of George Washington was held not to be germane. Volume **VIII**, section **2955**.
- To a portion of a bill dealing with one class of Indian schools and amendment relating to an Indian school of another class was ruled not germane. Volume **VIII**, section **2931**.
- To a bill amendatory of existing law in one particular a proposition to amend the law in another particular is not germane. Volume **VIII**, section **2937**.
- To a proposition to pay employees of the House and Senate extra compensation an amendment proposing to include clerks of Members was held not to be germane. Volume **VIII**, section **2961**.
- To an item relating to carriers in the postal service an amendment adding clerks in the same service was held not to be germane. Volume **VIII**, section **2962**.
- To a bill prohibiting the importation of products of convict labor, pauper labor, and detained labor an amendment placing a like restriction on the importation of products of child labor was held not germane on the ground that the labor affected by the bill constituted a single class of labor. Volume **VIII**, section **2963**.
- To a resolution providing a special order for the consideration of one bill an amendment substituting another bill, even though relating to the same subject, was held not to be germane. Volume **VIII**, section **2956**.

(33) Germane Amendments.—Specific Subject Not to be Amended by General Matters.

- A specific proposition may not be amended by a general provision. Volume **VIII**, section **2997**.

AMENDMENTS—Continued.**(33) Germane Amendments.—Specific Subject Not to be Amended by General Matters—Continued.**

A general provision is not in order as an amendment to a specific proposition. Volume **VIII**, section **2998**.

To a bill for the benefit of a single individual or corporation an amendment embodying general provisions applicable to the class represented by the individual is not germane. Volume **V**, sections **5843—5846**.

To a bill for the admission of one Territory an amendment providing also for the admission of several other Territories was held not to be germane. Volume **V**, section **5837**.

It is not in order to amend a private bill by adding provisions general and public in character. Volume **IV**, section **3292**.

To a bill amendatory of an existing law as to one specific particular an amendment relating to the terms of the law rather than to those of the bill was held not to be germane. Volume **V**, sections **5806—5808**.

To a bill relating to corporations engaged in interstate commerce an amendment relating to all corporations was held not to be germane. Volume **V**, section **5842**.

To a bill authorizing suit against a certain class of Government-owned vessels an amendment striking out language designating the class and making the bill applicable to all Government-owned vessels was held not to be germane. Volume **VIII**, section **2920**.

To a bill modifying existing law in a number of particulars an amendment referring to the entire law is not necessarily germane. Volume **VIII**, section **2945**.

To a paragraph applying to one bureau in the Navy Department an amendment applying to the Navy Department as a whole was held not to be germane. Volume **VIII**, section **2997**.

To a bill relating to a specific class of canned goods an amendment dealing with canned goods in general was not admitted. Volume **VIII**, section **2998**.

To an amendment affecting one item in a paragraph a proposed substitute affecting all items in the paragraph was held not germane. Volume **VIII**, section **2999**.

To a proposition authorizing loans to farmers in certain areas, an amendment authorizing loans without geographical restriction was held not germane. Volume **VIII**, section **3235**.

(34) Germane Amendments.—General Subject May be Amended by Individual Propositions.

A general subject may be amended by a specific proposition of the same class. Volume **VIII**, sections **3002**, **3009**, **3012**.

A bill dealing with an individual proposition but rendered general in its scope by amendment is then subject to further amendment by propositions of the same class. Volume **VIII**, section **3003**.

To a proposition general in its nature an amendment specific in character is germane if within the same class. Volume **VIII**, section **3004**.

A bill general in its provisions may be amended by specific provisions inclusive thereunder. Volume **VIII**, section **3005**.

To a proposition general in its nature an amendment specific in character is germane if subsidiary to the pending proposition. Volume **VIII**, section **3007**.

To a proposition general in its application an amendment making specific provision within the proposition may be germane. Volume **VIII**, sections **3008**, **3017**.

To a bill including several propositions of the same class an amendment adding another proposition of that class is germane. Volume **VIII**, sections **3010**, **3011**, **3013**.

To a bill admitting several Territories into the Union an amendment adding another Territory is germane. Volume **V**, section **5838**.

To a bill providing for the construction of buildings in each of two cities an amendment providing for similar buildings in several other cities was held to be germane. Volume **V**, section **5840**.

To a bill referring generally to the affairs of a gas company an amendment introducing the subject of the price of gas was held to be germane. Volume **V**, section **5921**.

AGREEMENTS—Continued.**(34) Germane Amendments.—General Subject May be Amended by Individual Propositions—Continued.**

- To a resolution embodying two distinct phases of international relationship an amendment embodying a third was held to be germane. Volume **V**, section **5839**.
- To a resolution authorizing a class of employees in the service of the House an amendment providing for the employment of a specified individual was held not to be germane. Volume **V**, sections **5848**, **5849**.
- To a bill amendment a law in several particulars an amendment proposing modification in another particular was held to be germane. Volume **VIII**, section **2942**.
- To a paragraph providing a lump sum appropriation for repairs to suburban roads an amendment proposing additional repairs for designated suburban roads was held to be germane. Volume **VIII**, section **3020**.
- To a bill providing severally for the support and civilization of a number of Indian tribes an amendment adding another tribe was held to be germane. Volume **VIII**, section **3018**.
- To a bill providing for several departments of service in the Army an amendment providing in addition for a transportation service was held to be germane. Volume **VIII**, section **3014**.
- To a bill providing appropriations for a number of Army camps at designated locations an amendment providing for an additional camp at another location was held to be germane. Volume **VIII**, section **3012**.
- To a section embodying a declaration of policy and including a number of purposes an amendment proposing to incorporate an additional purpose was held to be germane. Volume **VIII**, section **3011**.
- To a section providing a number of restrictions on the expenditure of certain funds an amendment adding another restriction was held to be germane. Volume **VIII**, section **3010**.
- To a bill providing a lump-sum appropriation for the prosecution of authorized river and harbor works an amendment designating specific works upon which the appropriation should be expended was held to be germane. Volume **VIII**, sections **3004**, **3008**.
- To a bill providing generally for the improvement of rivers and harbors an amendment providing for an additional harbor was held to be germane. Volume **IV**, section **4120**.
- To a bill providing for flood relief in a designated area but rendered general in its nature by the addition of a second area an amendment proposing the incorporation of a third area was held to be germane. Volume **VIII**, section **3003**.
- To a section enumerating a number of requirements to be complied with in the marketing of certain foodstuffs an amendment providing an additional requirement of the same class was held to be germane. Volume **VIII**, section **3002**.
- To a resolution requesting the sale of surplus food products an amendment suggesting a specific plan for such sale was held to be germane. Volume **VIII**, section **3009**.
- Where a bill proposes to amend an existing law in several particulars, no arbitrary rule can be laid down either admitting or excluding further amendments to the law not proposed in the pending bill, but the question of the germaneness of such additional amendments must be determined in each instance on the merits of the case presented. Volume **VIII**, section **2938**.

(35) Germane Amendments.—Decisions on Matters Amending Existing Law.

- To a bill amendatory of an existing law as to one specific particular, an amendment relating to the terms of that law rather than to those of the bill was held not to be germane. Volume **VIII**, section **3045**.
- To a bill amending a law in one particular an amendment repealing the law is not germane. Volume **VIII**, section **2949**.
- To a proposition to extend for two years the operation of a temporary act and declaring that conditions prompting its original enactment still existed, an amendment germane to the existing act sought to be extended was held to be germane. Volume **VIII**, section **2950**.

AMENDMENTS—Continued.**(35) Germane Amendments.—Decisions on Matters Amending Existing Law—Continued.**

- To a bill reenacting in modified form an existing law, an amendment proposing further modification of the law proposing to be reenacted was held to be germane. Volume **VIII**, section **2940**.
- An act continuing and reenacting an existing law in subject to amendment modifying the provisions of the law carried in the act. Volume **VIII**, section **2941**.
- The committee, overruling the decision of the Chair, held that an amendment germane to an existing law is germane to a bill proposing its reenactment. Volume **VIII**, section **2941**.
- To a bill amendatory of one section of an existing law an amendment proposing further modification of the law was held not to be germane. Volume **VIII**, section **2948**.
- A proposed amendment to existing law so comprehensive in its effect upon the law as to practically repeal it was held to admit as germane amendments providing an entirely different method for performing the functions of the original law. Volume **VIII**, section **2939**.
- To a bill to modify a section of an existing law an amendment proposing to repeal a portion of the section sought to be modified was held to be germane. Volume **VIII**, section **2943**.
- Although a bill amendment a general law in several particulars is presumed to admit as germane an amendment providing for the repeal of the whole law, in an instance wherein the modifications proposed by the pending bill did not vitally affect the entire law, an amendment providing for repeal was held not to be germane. Volume **VIII**, section **2944**.
- To a bill amendatory of an act in several particulars an amendment proposing to modify the act but not related to the bill was held not to be germane. Volume **VIII**, section **2947**.
- To a bill amending a general law in several particulars an amendment providing for the repeal of the whole law was held to be germane. Volume **V**, section **5824**.
- To a bill amendatory of an existing law as to one specific particular, an amendment relating to the terms of the law rather than to those of the bill was held not to be germane. Volume **VIII**, sections **2707**, **2916**.
- To a bill amending the Federal Reserve Act in a number of particulars an amendment relating to the Federal Reserve Act but to no portion provided for in the pending bill was held not to be germane. Volume **VIII**, section **2946**.
- To a bill amending a single feature of the war prohibition act an amendment repealing the act was held not to be germane. Volume **VIII**, section **2949**.
- To a bill amending provisions of a law providing for the measurement of vessels to determine the tolls to be paid thereon an amendment repealing provisions of the law establishing such tolls was held not be germane. Volume **VIII**, section **2916**.

(36) Germane Amendments.—Time Limitations on Effective Dates of Legislation.

- To a proposition to extend Federal aid to starving women and children an amendment providing that such aid should not become effective prior to a certain date was admitted. Volume **VIII**, section **2959**.
- To a bill for the relief of women and children in Germany an amendment providing that the proposed legislation should not become effective until a soldiers' compensation law had been enacted was held not to be germane. Volume **VIII**, section **3035**.
- An amendment delaying operation of proposed legislation pending an unrelated contingency was held not to be germane. Volume **VIII**, section **3037**.
- Provision for delaying operation of a proposed enactment pending an ascertainment of fact is germane to such proposed enactment. Volume **VIII**, section **3029**.
- To a provision to become effective immediately, an amendment deferring the time at which it shall become effective, without involving affirmative legislation, was held to be germane. Volume **VIII**, section **3030**.
- To a bill proposing measures to meet a declared emergency and limited in operation to a period of five years an amendment proposing permanent legislation of the same character was held not to be germane. Volume **VIII**, section **2912**.

AMENDMENTS—Continued.**(36) Germane Amendments.—Time Limitations on Effective Dates of Legislation—Continued.**

To a proposition to appropriate for a general increase in salaries for one year an amendment to extend the increase to another year was held not to be germane. Volume **VIII**, section **2913**.

To a section proposing legislation for the current year an amendment rendering such legislation permanent was held not to be germane. Volume **VIII**, section **2914**.

(37) Germane Amendments.—Limitations, exceptions, etc.

An amendment is not necessarily germane because presented in the form of a limitation. Volume **VIII**, section **3033**.

The presentation of an amendment in the form of a limitation does not render it germane. Volume **VIII**, section **3036**.

To a provision delegating certain powers a proposal to limit such powers is germane. Volume **VIII**, section **3022**.

To a section authorizing the Interstate Commerce Commission to change rates an amendment providing that the commission in making such changes shall not increase rates was held to be germane. Volume **VIII**, section **3022**.

To a proposal to grant certain authority an amendment proposing to limit such authority is germane. Volume **VIII**, section **3023**.

To a bill authorizing the Bureau of War-Risk Insurance to insure vessels an amendment denying such insurance to vessels charging exorbitant rates was held to be germane. Volume **VIII**, section **3023**.

Provisions restricting authority may be modified by amendments providing exceptions. Volume **VIII**, section **3024**.

To a bill dealing with radio communication in general an amendment proposing to restrict the operation of the proposed law was held to be germane. Volume **VIII**, section **3025**.

To a section dealing with a designated class an amendment exempting from the provisions of the section a certain portion of that class may be germane. Volume **VIII**, section **3026**.

To a bill denying the benefits of war risk insurance to persons discharged from service on the charge of being alien enemies an amendment granting such benefits to alien enemies who had rendered faithful service was held to be germane. Volume **VIII**, section **3026**.

To a proposition extending certain benefits to a class a proposal to establish qualifications limiting the number of individuals in that class entitled to receive such benefits is germane. Volume **VIII**, section **3027**.

To a bill authorizing aid to shipping an amendment limiting participation in such benefits to ships equipped with ship-saving devices was held to be germane. Volume **VIII**, section **3027**.

To a bill extending the operation of an existing law an amendment excepting certain portions of the law was held to be germane. Volume **VIII**, section **3028**.

To a bill authorizing the conversion of ships to oil-burning vessels an amendment denying the use of the appropriation proposed to be authorized for the purchase of oil-burning engines constructed outside of the United States was held to be germane. Volume **VIII**, section **3032**.

To a bill authorizing expenditures on naval vessels an amendment providing that no part of such expenditures be made for repairs in Government yards which could be made at less expense elsewhere was held not to be germane. Volume **VIII**, section **3034**.

To a provision authorizing a corporate to borrow money an amendment providing that no money so borrowed be expended for a particular purpose was held not to be germane. Volume **VIII**, section **3036**.

To a bill prohibiting the mailing of revolvers except to certain public officials an amendment proposing an additional excepted class was construed as a further exception and admitted as germane. Volume **VIII**, section **3052**.

AMENDMENTS—Continued.**(38) Germane Amendments.—As Related to Legislative and Other Propositions on Appropriations Bills. See also “Appropriations.”**

Where points of order are reserved on an appropriation bill, a portion not germane and not within the jurisdiction of the committee may be stricken out on a point of order in Committee of the Whole. Volume **IV**, section **4219**.

A revenue amendment is not germane to an appropriation bill. Volume **V**, section **5852**.

A proposition to improve the harbor of a foreign country was held not to be germane to the river and harbor bill. Volume **IV**, section **4121**.

To a bill providing generally for the improvement of rivers and harbors an amendment providing for an additional harbor was held to be germane. Volume **IV**, section **4120**.

A paragraph which proposes legislation in a general appropriation bill being permitted to remain, it may be perfected by any germane amendment. Volume **IV**, sections **8323–8335**. Volume **VII**, sections **1405, 1414–1416**. Volume **VIII**, section **3054**.

Where a paragraph which changes existing law has been by general consent allowed to remain it may be perfected by any germane amendment. Volume **V**, section **5805**.

In an appropriation bill a paragraph embodying legislation may be perfected by a germane amendment, but this does not permit an amendment which adds additional legislation. Volume **IV**, sections **3836, 3837**. Volume **VII**, sections **1420, 1425, 1431, 1600**.

Where a Senate amendment proposes on a general appropriation bill an expenditure not authorized by law or legislation it is in order in the House to perfect it by germane amendments. Volume **IV**, sections **3913–3916**.

A proposition germane but involving legislation has sometimes been admitted as an amendment to a Senate amendment to an appropriation bill and sometimes ruled out. Volume **IV**, sections **3909–3912**.

An amendment perfecting a paragraph in an appropriation bill proposing legislation but unobjected to is not in order if not germane or if providing additional legislation. Volume **VII**, section **1435**.

A proposition reappropriating an unexpended balance may be amended by proposition making a direct appropriation for the same purpose. Volume **VII**, section **1161**.

To a bill containing two items appropriating for quarantine stations an amendment proposing an appropriation for another quarantine station was held to be germane. Volume **VII**, section **1372**.

An amendment qualifying or limiting a class of beneficiaries of an appropriation is germane to the paragraph providing the appropriation. Volume **VII**, section **1377**.

A special order having been agreed to providing for consideration of a paragraph proposing legislation on an appropriation bill, germane amendments were held in order but amendments proposing additional legislation were not admitted. Volume **VII**, section **1397**.

To a provision in an appropriation bill proposing legislation for the fiscal year provided for by the bill, an amendment proposing to make the provision permanent legislation was held not to be germane. Volume **VIII**, section **2915**.

To a provision making appropriation for the acquiring and diffusing of information pertaining to agricultural products an amendment making appropriation for an investigation incident thereto was held to be germane. Volume **VIII**, section **3060**.

(39) Germane Amendments.—Decisions Relating to Revenue Matters.

To a bill relating to the tariff between the United States and the Philippine Islands an amendment relating to the tariff between the United States and all other countries was held not to be germane. Volume **V**, sections **5857, 5858**.

To a bill relating to reciprocal trade relations between the United States and Cuba the Committee of the Whole, overruling the Chair, added an amendment relating to the duties on sugar generally but sustained the chair in holding not germane amendments relating to the general duties on hides and iron manufactures. Volume **V**, section **5856**.

AMENDMENTS—Continued.**(39) Germane Amendments.—Decisions Relating to Revenue Matters.—Continued.**

- On the question being submitted, the House admitted a provision relating to duties as an amendment to an internal-revenue bill, although the point of order it was not germane had been made. Volume **V**, section **5855**.
- To a bill relating to the classification for customs purposes of worsted goods as woollens an amendment relating to duties on wools and woollens and worsted cloths was held not to be germane. Volume **V**, section **5854**.
- To a proposition relating to the sale of internal-revenue stamps in Porto Rico a proposition relating to posting lists of persons paying special taxes in the United states was held not germane. Volume **V**, section **5859**.
- To a proposition giving a committee power to investigate tariff subjects an amendment commending tariff revision was held not to be germane. Volume **V**, section **5853**.
- An amendment relating to the Government tax on liquors sold in prohibition communities was held not germane to a proposition to prohibit the sale of liquor in the Capitol. Volume **V**, section **5892**.
- To a provision relating to the duties on certain articles used in the cotton industry an amendment providing for the free coinage of silver was held not to be germane. Volume **V**, section **5865**.
- To a revenue bill with incidental purposes to prevent adulteration of a certain food product an amendment relating to interstate commerce in adulterated food products and drugs generally was decided not to be germane. Volume **V**, section **5866**.
- A proposition for the annexation of Cuba was held not to be germane to a bill providing for reciprocal trade relations with that country. Volume **V**, section **5867**.
- To a bill to protect trade and commerce against trusts an amendment relating to duties on articles handled by trusts was held not to be germane. Volume **V**, section **5368**.
- To a provision extending the customs and internal-revenue laws of the United States over the Hawaiian Islands an amendment for effecting the extension of all the laws of the United States over those islands was offered and held not to be germane. Volume **V**, section **5864**.
- To a bill granting land to a railroad an amendment allowing the importation of railroad iron free of duty is not germane. Volume **V**, section **5863**.
- To a bill relating to the tariff between the United States and the Philippine Islands an amendment declaratory as to the future sovereignty over those islands was held not to be germane. Volume **V**, section **5860**.
- To a bill for the regulation of corporations engaged in interstate commerce an amendment relating to tariff duties was held not to be germane. Volume **V**, section **5861**.
- An amendment to repeal the duty on coal was held not to be germane to a proposition to pay for the investigation of a strike among coal miners. Volume **V**, section **5862**.
- To an amendment relating to the molasses schedule in a tariff bill an amendment affecting the sugar schedule in the same paragraph of the bill is not germane. Volume **VIII**, section **2848**.
- To a section of a revenue bill proposing definitions of terms an amendment levying a tax was held not to be germane although germane to the bill as a whole. Volume **VIII**, section **2922**.
- To a bill amending a section of a law designating and defining the constituent ingredients of oleomargarine an amendment proposing a tax on oleomargarine was held not to be germane. Volume **VIII**, section **2937**.
- To a bill proposing to regulate grain exchanges or taxation an amendment proposing to regulate them by prohibiting the transmission of messages was held not to be germane. Volume **VIII**, section **2988**.
- To a bill levying a tax on gasoline an amendment fixing the price of gasoline was held not to be germane. Volume **VIII**, section **2991**.

AMENDMENTS—Continued.**(39) Germane Amendments.—Decisions Relating to Revenue Matters—Continued.**

- An amendment offered to a revenue bill proposing a tax for any other purpose than that of securing revenue is not germane. Volume **VIII**, section **3039**.
- To an internal revenue bill an amendment proposing to levy a tax on rents in excess of a fixed standard was held not to be germane. **VIII**, section **3039**.
- To a bill providing for determination of the amount of a tax an amendment requiring such determination to be made within a certain time was held to be germane. **VIII**, section **3040**.
- To an internal-revenue tax bill an amendment requiring persons making returns under the act to include a statement of campaign contributions was held not to be germane. **VIII**, section **3041**.
- To a bill proposing an income tax, an estate tax, and certain excise taxes, an amendment proposing a tax on the undistributed profits of corporations accruing during the taxable year was held to be germane. **VIII**, section **3042**.
- To a bill raising revenue by several methods of taxation the Committee of the Whole (over-ruling the Chairman) held an amendment proposing an additional method of taxation to be germane. **VIII**, section **3042**.
- To a proposed constitutional amendment authorizing taxation of income derived from securities issued under authority of the States an amendment authorizing taxation of income derived from other sources was held not to be germane. **VIII**, section **3043**.
- To a section of a revenue bill relating to tax returns required by the bill an amendment relating to all tax returns was held not to be germane. **VIII**, section **3044**.
- A revenue amendment is not germane to an appropriation bill. **VIII**, section **3038**.

(40) Germane Amendments.—Decisions Relating to Immigration.

- An amendment limiting immigration generally was held not to be germane to a proposition to prevent the immigration of Chinese. Volume **V**, section **5869**.
- A proposition to prohibit the employment of Chinese on American vessels was held not to be germane to a bill to prevent their coming into the United States. Volume **V**, section **5874**.
- An amendment providing for an educational test for immigrants was held to be germane to a bill to regulate the immigration of aliens into the United States. Volume **V**, section **5873**.
- To a provision excluding immigrants unable to read and write and requiring a certificate with each immigrant admitted, an amendment to exclude all foreign-born laborers was held not to be germane. Volume **V**, section **5870**.
- An amendment prohibiting aliens from coming temporarily into the United States to work was held not to be germane to a bill to regulate the immigration of aliens. Volume **V**, sections **5871**, **5872**.
- An amendment prohibiting the sale of intoxicating liquors in all Government buildings accessible to aliens was held not germane to a proposition to prohibit such sale in immigrant stations. Volume **V**, section **5893**.
- To a bill regulating the entry of aliens into the United states an amendment providing like restrictions on admission of anarchists, Bolsheviks, and others, was held not to be germane. Volume **VIII**, section **3046**.
- To a bill providing for the deportation of aliens avoiding the draft law an amendment prohibiting their acquiring title to real estate was held not to be germane. Volume **VIII**, section **3000**.
- To a bill providing for a decennial census of the entire population of the United states a specific provision relating to the alien population of the United States was admitted as germane. Volume **VIII**, section **3005**.

AMENDMENTS—Continued.**(40) Germane Amendments.—Decisions Relating to Immigration—Continued.**

To a bill providing for the deportation of a certain class of aliens an amendment exempting a portion of such class was held to be germane. Volume **VIII**, section **3029**.

To a proposition relating exclusively to the educational test in the current immigration law an amendment applying to the law as a whole was held not to be germane. Volume **VIII**, section **3045**.

To a section proposing the admission of aliens fleeing religious persecution an amendment from proposing the admission of aliens fleeing from political persecution was held not to be germane. Volume **VII**, section **3047**.

An amendment providing for the dissemination abroad of information designed to attract a better class of immigrants was held not to be germane to a bill to limit the immigration of aliens into the United States. Volume **VIII**, section **3048**.

To a bill excluding certain several classes of immigrants an amendment excluding all immigrants was held to be germane. Volume **VIII**, section **3049**.

To a bill regulating immigration an amendment providing that the operation of the proposed act should not conflict with an informal “agreement” with Japan was held not to be germane. Volume **VIII**, section **3050**.

(41) Germane Amendments.—Decisions Relating to the Public Lands.

To a bill relating to the sale of the public lands, an amendment proposing to give them to settlers was held not to be germane. Volume **V**, section **5877**.

To a bill relating to the sale of the public lands, an amendment limiting alien ownership of land other than the public lands was held not to be germane. Volume **V**, section **5878**.

To a bill to enlarge the size of homesteads in a certain State, an amendment changing the commutation as to homesteads generally was offered and held not to be germane. Volume **V**, section **5879**.

To a bill transferring the care of forest reserves to the Department of Agriculture, an amendment modifying the civil-service rules as to officials in those reserves was held not germane. Volume **V**, section **5880**.

An amendment in the nature of a substitute providing simply for the establishment of land offices was held not to be germane to a bill providing for the organization of a Territorial government. Volume **V**, section **5876**.

To a bill providing for an issue of Treasury notes, an amendment providing for the redemption of such notes by suspending the distribution of the proceeds of public land sales was held not to be germane. Volume **V**, section **5883**.

To a bill providing that funds derived from the sale of certain public lands be paid into a reclamation fund to be used in the construction of reclamation works amendments proposing that such funds be paid into a national good-roads fund to be used in the building of roads, or deposited in the Treasury to the credit of a Navy petroleum fund, were held not to be germane. Volume **VIII**, section **2993**.

To a bill authorizing the appointment of a commission to report on matters relating to the public domain an amendment specifying that the commission report on a designated area of the public domain is germane. Volume **VIII**, section **3007**.

(42) Germane Amendments.—Decisions Relating to Clerks, Officers, etc.

To a proposition to give an extra month’s pay to the officers and employees of the House, an amendment to include clerks of Members was held not to be germane. Volume **V**, section **5904**.

To a resolution assigning clerks to committees, an amendment assigning a clerk to each Member of the House was offered and ruled out of order. Volume **V**, section **5901**.

To a provision for the payment of clerk hire to Members and Delegates, an amendment providing that under certain circumstances the Member should forfeit the payment was offered and ruled out of order. Volume **V**, section **5902**.

AMENDMENTS—Continued.**(42) Germane Amendments.—Decisions Relating to Clerks, Officers, etc.—Continued.**

- To a provision relating to transfers of clerks from one Department to another, an amendment classifying the work of the clerks was held not to be germane. Volume **V**, section **5903**.
- To a bill to place an officer on the retired list of the Army, an amendment proposing to give him a pension was held not to be germane. Volume **IV**, section **4375**.
- To a bill establishing a new department, creating offices and fixing salaries, an amendment for changing the salary of an officer of the department was held to be germane. Volume **V**, section **5917**.
- To a bill making deficiency appropriations for the Government Printing Office, among which was none relating to the salary of the Public Printer, an amendment legislating in relation to the selection of that official was held not to be germane. Volume **V**, section **5825**.
- To a proposition to increase salaries of Government employees, an amendment proposing the establishment of a minimum wage for such employees was held not to be germane. Volume **VIII**, section **2971**.
- To a proposition to pay wages a proposition to pay a bonus is not germane. Volume **VIII**, section **2981**.
- To a bill establishing a minimum wage scale an amendment to add a bonus was held not to be germane. Volume **VIII**, section **2981**.
- To a bill to pay several employees of the Government, specifically named, for injuries received while in discharge of duty an amendment to pay another employee for such injury was held to be germane. Volume **VIII**, section **3015**.
- To a bill relating to salaries of officers in a number of bureaus of the Department of Agriculture an amendment relating to salaries of other officers of the department was held to be germane. Volume **VIII**, section **3019**.
- To a section authorizing the assignment of clerks an amendment prescribing qualifications to be considered in the appointment of such clerks was held not to be germane. Volume **VIII**, section **3058**.
- To a bill discontinuing certain subtreasuries and repealing the law authorizing them an amendment providing for officers and employees of such subtreasuries was held to be germane. Volume **VIII**, section **3059**.

(43) Germane Amendments.—Decisions Relating to Judges and the Courts.

- To a bill relating to the resignation and salary of a district judge, an amendment providing for the division of that judge's district into two districts was held to be germane. Volume **V**, section **5888**.
- To a bill providing for the holding of courts in certain existing judicial districts, an amendment providing for the creation of a new district was held not germane. Volume **V**, section **5889**.
- To a bill relating to the salaries and expenses of judges, an amendment forbidding them to receive passes, franks, etc., was held to be germane. Volume **V**, section **5912**.
- To a bill relating to the salaries of the Federal judges and those of the District of Columbia, an amendment relating to the salaries of the Porto Rican judges was held to be germane. Volume **V**, section **5913**.
- To a bill relating to Federal elections and functions of the Federal courts therein, an amendment establishing a system of jury commissioners in such courts was held to be germane. Volume **V**, section **5922**.
- To a bill providing for the assignment of district judges and circuit judges to relieve congestion in the Federal courts an amendment providing for the assignment of judges of the Court of Customs Appeals was held to be germane. Volume **VIII**, section **3013**.
- To a bill prohibiting the issuance of injunctions by the courts in labor disputes, an amendment excepting all labor disputes affecting public utilities, was held to be germane. Volume **VIII**, section **3024**.

AMENDMENTS—Continued.**(43) Germane Amendments.—Decisions Relating to Judges and Courts—Continued.**

To a bill providing for the appointment of judges for an unlimited term an amendment restricting the term to four years was held to be germane. Volume **VIII**, section **3031**.

(44) Germane Amendments.—Decisions Relating to the District of Columbia.

To a bill establishing a standard of time for the District of Columbia, an amendment for distributing the benefits to the nation at large was held to be not germane. Volume **IV**, section **5847**.

To a bill referring generally to the affairs of a gas company an amendment introducing the subject of the price of gas was held to be germane. Volume **V**, section **5921**.

To a bill relating to the control of several distinct public places in Washington, an amendment providing for the removal of the fence around the Botanical Garden, in the same city, was held germane. Volume **V**, section **5914**.

To a bill providing generally for a Union Station in the District of Columbia, an amendment levying a special tax in the District to defray the cost of the station was held to be germane. Volume **V**, section **5916**.

To a bill relating to the operations of a street railway in several particulars, an amendment fixing the rate of fares on this and other street railways also was held not to be germane. Volume **V**, section **5911**.

To a bill requiring street railway corporations to make annual reports, amendments relating to transfers and accommodations for passengers were held not to be germane. Volume **V**, section **5908**.

To a provision requiring two street railway companies to issue free transfers, each over the other's lines, an amendment requiring the two companies to issue universal transfers over all intersecting lines was held not to be germane. Volume **V**, section **5907**.

To a bill relating to corporations carrying passengers for hire over the streets of Washington, an amendment regulating the size of tires of all vehicles passing over the streets was held not to be germane. Volume **V**, section **5906**.

To a bill relating to laying of conduits for telephone wire, amendments relating to the prices to be charged for services were held not to be germane. Volume **V**, section **5905**.

(45) Germane Amendments.—Decisions Relating to Agriculture.

To a bill regulating the sale and speculation in certain farm products an amendment providing for the free coinage of silver at a fixed ratio was held not to be germane. Volume **V**, section **5885**.

The distribution of seed grain to a class of destitute farmers was held not to be germane to the regular Congressional seed distribution for the improvement of agriculture. Volume **V**, section **5881**.

To a bill designed to prohibit speculation in cotton an amendment adding wheat and corn was held not to be germane. **VIII**, section **3001**.

To a proposal to buy bonds from farm-loan bands for a specified purpose an amendment proposing the purchase of bonds from another source which would necessarily contribute directly to the same purpose was held not to be germane. **VIII**, section **2990**.

To a bill proposing to increase the food supply by educational and demonstrational methods an amendment proposing to effect such increase through sale of nitrate of soda was held not to be germane. Volume **VIII**, section **2980**.

To a bill providing for the conservation of food by educational and demonstrational methods an amendment to conserve food by prohibiting the use of food materials in the manufacture of alcoholic beverages was held not to be germane. Volume **VIII**, section **2979**.

To an amendment relating to "pineapples in barrels and other packages" a proposed substitute relating to "pineapples in bulk" was held not to be germane. Volume **II**, **V** section **2974**.

AMENDMENTS—Continued.**(45) Germane Amendments.—Decisions Relating to Agriculture—Continued.**

- To a bill designed to raise the price of agricultural products to a ratio consistent with the price of other commodities by the creation of a corporation authorized to deal in such products an amendment proposing to accomplish the same result through a comprehensive system of cooperative marketing was held to be germane. Volume **VIII**, section **2912**.
- To a bill undertaking to advance the price of agricultural commodities through the operation of a Federal agency with power to control marketing conditions an amendment proposing to secure such advance by granting a bounty to exporters of agricultural commodities was held not to be germane. Volume **VIII**, section **2912**.
- To a bill proposing to raise the price of agricultural products to a basis of comparative equality with the price of other commodities through the establishment of a Federal Farm Board authorized to promote effective marketing an amendment proposing to raise agricultural prices through the authorization of export debentures on agricultural products was held not to be germane. Volume **VIII**, section **2967**.
- To a bill proposing farm relief through the refinancing of farm-mortgage loans, an amendment providing for farm relief through expansion of the currency was held not germane. Volume **VIII**, section **2969**.
- To a bill authorizing an investigation of the supply and demand for foodstuffs, an amendment prohibiting waste, monopolies and hoarding of foodstuffs was held not to be germane. Volume **VIII**, section **2970**.
- An amendment on the subject of renovated butter was held to be germane to a bill relating to "oleomargarine and other imitation dairy products." Volume **V**, section **5919**.

(46) Germane Amendments.—Decisions Relating to Commerce and Labor.

- To a bill granting a right of way to a railroad an amendment providing for the purchase of the railroad by the Government was held not to be germane. Volume **V**, section **5887**.
- To a section conferring on carriers the right to recover for loss of freight an amendment conferring on shippers the right to recover was held not to be germane. Volume **VIII**, section **2992**.
- To a bill providing for a physical valuation of railroads an amendment dealing with the future issuance of railroad stocks and bonds was held not germane. Volume **VIII**, section **2708**.
- To a bill relating to interstate commerce an amendment pertaining to foreign commerce was held not to be germane. Volume **VIII**, section **2918**.
- To a bill relating to interstate commerce a proposition relating to intrastate commerce is not germane. Volume **VIII**, section **2964**.
- To a bill providing for the distribution of coal by vesting in the Interstate Commerce Commission power to establish priorities an amendment providing for distribution through governmental purchase was held not to be germane. Volume **VIII**, section **2978**.
- To a bill establishing telephone rates an amendment prohibiting reductions in wages of telephone employees while such rates remained effective was held not to be germane. Volume **VIII**, section **2982**.
- To a bill providing for an eight-hour day and creating a commission to investigate the subject, an amendment authorizing the appointment of a commission to arbitrate labor disputes and prevent strikes was held not to be germane. Volume **VIII**, section **3051**.
- To a bill prohibiting the mailing of revolvers an amendment prohibiting the mailing of publications containing advertisements of revolvers was held not to be germane. Volume **VIII**, section **3052**.
- A bill to establish a Department of Commerce and Labor may be recommitted, with instructions to report instead two bills establishing separate departments of commerce and labor. Volume **V**, section **5527**.

AMENDMENTS—Continued.**(46) Germane Amendments.—Decisions Relating to Commerce and Labor—Continued.**

To a bill relating to commerce between the States an amendment relating to commerce within the several States was offered and held not to be germane. Volume **V**, section **5841**.

(47) Germane Amendments.—Decisions Relating to the Army and Navy.

To a proposition to use proceeds from the sale of battleships for the construction of another battleship, a proposition to utilize such proceeds in the construction of roads was held not to be germane. Volume **VIII**, section **2973**.

To a proposition to authorize the construction of naval vessels an amendment providing that they be constructed in Government plants was held to be germane. Volume **VIII**, section **3063**.

To a proposition to construct two ships by contract or in navy yards an amendment proposing to construct one in a navy yard and the other either by contract or in a navy yard was held to be germane. Volume **VIII**, section **3061**.

To a proposition to investigate the cost of armor plate, an amendment fixing the terms of purchase thereof was held not to be germane. Volume **V**, section **5895**.

To a bill proposing to increase the efficiency of naval vessels an amendment authorizing an effort to reduce naval armament was held not to be germane. Volume **VIII**, section **3033**.

To a bill authorizing the Secretary of War in his discretion to discharge enlisted men an amendment directing the Secretary of War to prescribe regulations permitting the discharge of such men was held to be germane. Volume **VIII**, section **3054**.

To a joint resolution repealing declarations of war an amendment authorizing the negotiation of treaties of peace was held not to be germane. Volume **VIII**, section **2987**.

To a bill providing penalties for failure to comply with the draft law an amendment to award with citizenship those volunteering for service was held not to be germane. Volume **VIII**, section **2975**.

To a bill providing insurance for crews of vessels an amendment providing insurance for soldiers transported on such vessels was held not to be germane. Volume **VIII**, section **2951**.

To a paragraph providing pay for the Navy, an amendment relating to expenses of recruiting was held not germane. Volume **VII**, section **1700**.

To a bill providing for the reorganization of the Army a new section prescribing a system of competition in marksmanship among the soldiers was held to be germane as an amendment. Volume **V**, section **5910**.

To a bill granting soldiers the right to retain Government clothing an amendment to grant them extra pay was held not to be germane. Volume **VIII**, section **2983**.

To a bill providing for the payment of compensation under certain circumstances as a part of the benefits of insurance policies to be issued by the Government in consideration of the payment of annual premiums an amendment providing for the payment of such compensation as a pension was held not to be germane. Volume **VIII**, section **2985**.

To a law providing for the sale of insurance to soldiers in consideration of the payment of annual premiums an amendment proposing to grant such insurance for two years without payment of premiums was held not to be germane. Volume **VIII**, section **2986**.

(48) Germane Amendments.—Decisions Relating to President, Members of Congress, etc.

A proposition to censure is not germane to a proposition to expel. (Contra 5923.) Volume **VI**, section **236**.

To a proposition to exclude a Member-elect from the House a proposition to expel was offered as an amendment and held not to be germane. Volume **V**, section **5924**.

An amendment to censure a Member has been held germane to a resolution for his expulsion. Volume **V**, section **5923**.

To a proposition to investigate the conduct of Members in relation to a Department of the Government an amendment proposing an investigation of the Department itself was held not to be germane. Volume **V**, section **5890**.

AMENDMENTS—Continued.**(48) Germane Amendments.—Decisions Relating to President, Members of Congress, etc.—Continued.**

- To a bill providing for reapportionment of Representatives in congress an amendment authorizing redistricting of States in accord with such apportionment is not germane. Volume **VIII**, section **2996**.
- To a proposal to fix the commencement of the terms of Representatives in Congress a proposition to extend the duration of such terms is not germane. Volume **VIII**, section **2995**.
- To a proposition relating to the terms of service of Representatives and Senators an amendment proposing election of Senators by the people was held not to be germane. Volume **V**, section **5882**.
- To a bill proposing one mode of arranging the Presidential succession an amendment proposing a joint resolution for submitting a constitutional amendment on a plan differing as to details was held germane. Volume **V**, section **5582**.
- To a resolution rescinding an order for final adjournment an amendment assigning a new date was held to be germane. Volume **V**, section **5920**.

(49) Germane Amendments.—General Decisions Holding Germane.

- To a proposition to accomplish a certain purpose by one method a proposition to achieve the same purpose by another closely related method is germane. Volume **VIII**, sections **3054–3056**.
- To a bill creating two boards with separate duties an amendment creating one board authorized to discharge the duties devolving upon both boards was held to be germane. Volume **VIII**, section **3064**.
- To a bill authorizing the sale of Government property to one vendee an amendment proposing another vendee was held to be germane. Volume **VIII**, section **3062**.
- To a resolution proposing to amend the rules of the House in a number of particulars in order to establish a Budget system, an amendment changing the rules in other particulars with the same object in view was held to be germane. Volume **VIII**, section **3055**.
- An instance wherein a proposal to instruct an executive to take definite action was held to be germane to a proposal to authorize him to take such action. Volume **VIII**, section **3054**.
- To a bill providing for the establishment of branch banks an amendment proposing regulations for the control of such branches was held to be germane. Volume **VIII**, section **3053**.
- To a bill authorizing the compilation of census statistics on population, professions, properties, unemployment, and other subjects an amendment authorizing the compilation of statistics showing the number of persons whose right to vote has been abridged was held to be germane. Volume **VIII**, section **3017**.
- To a proposition to collect statistics on population, agriculture, manufacturing, and mining, an amendment providing for the simultaneous collection of similar statistics on insurance was held to be germane. Volume **VIII**, section **3016**.
- To a bill providing for the establishment of a sanatorium at Dawson Springs, Ky., an amendment to establish it on public lands in the State of Minnesota was held to be germane. Volume **VIII**, section **2984**.
- To a proposition relating to motor trucks and passenger-carrying automobiles an amendment relating to motor trucks, passenger-carrying automobiles, motor cycles, and trailers was held to be germane. Volume **VII**, section **1415**.
- To a proposition governing the making of a contract in a number of particulars an amendment proposing to govern the making of the contract in another particular was held to be germane. Volume **VII**, section **1413**.
- Under a special order providing that a specified amendment “shall be voted on,” that particular amendment only must be voted on and no similar amendment or substitute, even though germane, is in order. Volume **VII**, section **782**.

AMENDMENTS—Continued.**(49) Germane Amendments.—General Decisions Holding Germane—Continued.**

Amendments authorized by special order may be supplanted or amended by germane propositions of the same import though expressed in different phraseology. Volume **VII**, section **781**.

To a bill proposing the adjudication of claims arising out of informal contracts with the Government, through the agency of the Secretary of War, an amendment proposing to adjudicate such claims through the agency of a commission appointed for that purpose was held to be germane. Volume **VIII**, section **3056**.

To a proposition to recoin full legal tender silver dollars into subsidiary coin an amendment making the latter full legal tender was held to be germane. Volume **V**, section **5918**.

To a bill providing for an interoceanic canal, specifying a certain route, an amendment providing for another route was held to be germane. Volume **V**, section **5909**.

To a proposition to create a board of inquiry an amendment specifying when the board should report was held to be germane. Volume **V**, section **5915**.

(50) Germane Amendments.—General Decisions Holding Not Germane.

To a proposition to attain a definite object by a specific method a proposition to achieve the same object by another unrelated method is not germane. Volume **VIII**, sections **2779**, **2980**, **2988**.

To a bill providing for vocational rehabilitation in the United States an amendment extending the provisions of the bill to Hawaii was held not be germane. Volume **VIII**, section **2958**.

To a provision authorizing distribution through the Red Cross an amendment providing for distribution through the Salvation Army was held not germane. Volume **VIII**, section **2954**.

To a proposition to impose a penalty an amendment imposing additional and unrelated penalties is not germane. Volume **VIII**, section **3000**.

To a resolution to approve the report of a committee an amendment providing for disapproval of the report and amendment of an existing law was held not to be germane. Volume **VIII**, section **2994**.

To a bill for the improvement of rivers and harbors an amendment providing for a commission to study, consider and report on the subject was held not to be germane. Volume **VIII**, section **2989**.

To a proposal to authorize certain activities an amendment proposing to investigate the advisability of undertaking such activities is not germane. Volume **VIII**, section **2989**.

To a proposition to market a commodity for a consideration a proposition to donate such commodity as a gratuity is not germane. Volume **VIII**, section **2986**.

To a proposition to sell a commodity, service, or equity a proposition to give such commodity, service, or equity is not germane. Volume **VIII**, section **2985**.

To a plan providing for acquisition by gift a substitute providing for acquisition by purchase is not germane. Volume **VIII**, section **2984**.

To a section providing a penalty an amendment authorizing trial to determine the imposition of such penalty was held not to be germane. Volume **VIII**, section **2977**.

To a bill providing for enforcement of a law an amendment proposing modification of the law was held not to be germane. Volume **VIII**, section **2976**.

To a proposition to punish for violation of a law a proposition to award for action tending to achieve the purpose of the law is not germane. Volume **VIII**, section **2975**.

Two propositions dealing with the same subject matter are not necessarily germane. Volume **VIII**, section **2973**.

To a proposal to reduce allowances a proposal to increase allowances is not germane. Volume **VIII**, section **2972**.

To a proposition to pay a claim against the Government an amendment authorizing the claimant to bring suit in a Federal court for the amount claimed was held not be germane. Volume **VIII**, section **3021**.

AMENDMENTS—Continued.**(50) Germane Amendments.—General Decisions Holding Not Germane—Continued.**

- To a text authorizing arbitration of claims against the Government an amendment providing an appropriation to pay claims so arbitrated was held not to be germane. Volume **VIII**, section **3057**.
- To a paragraph prohibiting the sale of firearms or intoxicating liquors to natives of Alaska an amendment providing for a system for licensing the sale of liquor in that Territory was held not to be germane. Volume **V**, section **5894**.
- To a proposition for the appointment of a select committee to investigate a certain subject, an amendment proposing an inquiry of the Executive on that subject was held not to be germane. Volume **V**, section **5891**.
- To a bill authorizing the Court of Claims to adjudicate a claim, an amendment providing for paying the claim outright was held not to be germane. Volume **V**, section **5850**.
- To a proposition to pay a claim an amendment proposing to send the claim to the Court of Claims was held not to be germane. Volume **V**, section **5851**.
- To a proposition to provide relief for destitute citizens of the United States in the island of Cuba, a proposition declaring a state of war in Cuba and proclaiming neutrality, etc., was held not germane. Volume **V**, section **5897**.
- To a resolution requesting information as to the amount of money in the Treasury of the United States an amendment calling for information as to the number of distilleries in the United States was held not to be germane. Volume **V**, section **5875**.
- To a resolution for printing a document relating to the colonial systems of the world an amendment providing for the printing of maps of Cuba was offered and held not to be germane. Volume **V**, section **5898**.
- To a bill relating to the coinage of silver in the Treasury and its use in redemption of notes issued against it, amendments authorizing the issue of bonds and also authorizing the giving of notes for deposits of silver were held not to be germane. Volume **V**, section **5886**.
- To a provision for the erection of a building for a mint an amendment to change the coinage laws was held not to be germane. Volume **V**, section **5884**.
- To a bill relating to the classification for customs purposes of worsted goods as woollens an amendment relating to duties on wools and woollens and worsted cloths was held not to be germane. Volume **V**, section **5854**.
- To a bill relating to the tariff between the United States and the Philippine Islands an amendment declaratory as to the future sovereignty over those islands was held not to be germane. Volume **V**, section **5860**.
- To a bill for the regulation of corporations engaged in interstate commerce an amendment relating to tariff duties was held not to be germane. Volume **V**, section **5861**.
- To a proposition relating to the sale of internal-revenue stamps in Porto Rico a proposition relating to posting lists of persons paying special taxes in the United States was held not to be germane. Volume **V**, section **5859**.

(51) Examples of Amendments not Germane.—Unrelated Subjects.

- To a resolution requesting information as to the amount of money in the Treasury of the United States an amendment calling for information as to the number of distilleries in the United States was held not to be germane. Volume **V**, section **5875**.
- To a provision relating to the duties on certain articles used in the cotton industry an amendment providing for the free coinage of silver was held not to be germane. Volume **V**, section **5865**.
- To a bill regulating the sale and speculation in certain farm products an amendment providing for the free coinage of silver at a fixed ratio was held not to be germane. Volume **V**, section **5885**.
- To a bill relating to the coinage of silver in the Treasury and its use in redemption of notes issued against it, amendments authorizing the issue of bonds and also authorizing the giving of notes for deposits of silver were held not to be germane. Volume **V**, section **5886**.

AMENDMENTS—Continued.**(51) Examples of Amendments not Germane.—Unrelated Subjects—Continued.**

To a proposition to provide relief for destitute citizens of the United States in the island of Cuba a proposition declaring a state of war in Cuba and proclaiming neutrality, etc., was held not to be germane. Volume **V**, section **5897**.

To a bill making deficiency appropriations for the Government Printing Office, among which was none relating to the salary of the Public Printer, an amendment legislating in relation to the selection of that official was held not to be germane. Volume **V**, section **5825**.

An amendment which would have changed a resolution of inquiry to one of instruction was held not to be germane. Volume **V**, section **5804**.

(52) Examples of Amendments not Germane.—On Appropriation Bills.

A revenue amendment is not germane to an appropriation bill. Volume **V**, section **5852**.

A proposition to improve the harbor of a foreign country was held not to be germane to the river and harbor bill. Volume **IV**, section **4121**.

An amendment prohibiting the employment of nonresident foreigners on certain river and harbor works was held not to be germane to the river and harbor bill. Volume **IV**, section **4127**.

An amendment providing for a system of irrigating arid lands was held not to be germane to the river and harbor bill. Volume **IV**, section **4128**.

(53) Of the Journal.—As Related to Reading and Approval.

A motion to amend the Journal takes precedence of the motion to approve it. Volume **IV**, section **2760**.

The motion to amend the Journal may not be admitted after the previous question is demanded on the motion to approve. Volume **VIII**, section **2684**.

The motion to amend the Journal takes precedence of the motion to approve it, but the motion to amend is not admitted after the previous question has been demanded on the motion to approve. Volume **VI**, section **633**.

A motion to amend the Journal may not be admitted after the previous question is demanded on a motion to approve. Volume **IV**, section **2770**.

After the Journal has been approved amendments should not be ordered. Volume **IV**, section **2781**.

While the regular time for amending the Journal expires with its approval, yet this rule has sometimes been waived for the correction of a yea and nay vote. Volume **IV**, sections **2767–2769**.

It having been erroneously announced that a quorum had voted when the roll later disclosed the absence of a quorum on the vote, the Speaker declared subsequent proceedings in connection therewith vacated, and the Journal was amended accordingly. Volume **VIII**, section **3161**.

A vote having been incorrectly announced through error on the part of the Clerk, it is in order to move that the Journal and Record be amended to conform to the facts, or the Speaker may of his own initiative announce the correction and direct that the Journal be corrected. Volume **VIII**, section **3162**.

An error in a vote may be corrected in the Journal of the succeeding day, even though the result be changed thereby. Volume **IV**, sections **2829–2831**.

The correction of the Journal of a day preceding the last legislative day is usually made only by unanimous consent. Volume **IV**, sections **2794–2797**.

It has been held that the administration of the oath to a Member takes precedence of a motion to amend the Journal. Volume **I, II** section **171**.

Discussion of the scope of the Speaker's power to correct the Journal before it is read. Volume **IV**, section **2734**.

It has been held that the Journal of the last day of a session may not be amended on the first day of the succeeding session, but this principle has not been followed uniformly. Volume **IV**, sections **2743, 2744**.

After the Journal had been printed it was held to be too late to amend it. Volume **VI**, section **632**.

AMENDMENTS—Continued.**(54) Of the Journal.—As Related to Actual Transactions.**

In amending the Journal the House may decide as to what are proceedings, even to the extent of omitting things actually done or of recording things not done. Volume **IV**, section **2784**. Volume **IV**, section **634**.

The Journal being correct, the Speaker nevertheless entertained a motion to amend it so as to cause it to state what was not the fact, leaving the House to decide on the propriety of the action. Volume **IV**, section **2785**.

The House declined to allow amendment of the Journal entry of a motion which was recorded exactly as made. Volume **IV**, section **2783**.

Because of the rule requiring every motion made and not withdrawn to be entered on the Journal, it was held not in order to amend the Journal by striking out a resolution actually offered. Volume **IV**, section **2789**.

An instance wherein the Senate, after discussion, declined so to amend the Journal as to state what was not the actual fact. Volume **IV**, section **2786**.

(55) Of the Journal.—Expunging and Rescinding.

The Speaker has ruled out of order a motion to expunge a portion of the Journal. Volume **IV**, sections **2790**, **2791**.

The House has rescinded a resolution recorded in the Journal of a preceding Congress. Volume **IV**, sections **2792**, **2793**.

(56) Of the Journal.—Reasons not Included.

An expression of opinion as to a decision of the Chair is not in order as an amendment to the Journal. Volume **IV**, section **2848**.

An instance wherein the House by vote allowed an explanation of a motion to be entered on the Journal. Volume **IV**, section **2783**.

While the Journal does not record the reasons for an adjournment, such reasons may be inserted by special direction of the House. Volume **IV**, section **2816**.

(57) Of the Journal.—May not Insert Excluded Matter by Indirection.

It is not in order to place on the Journal indirectly what the House has refused to place there directly. Volume **IV**, section **2805**.

In 1843 the House finally decided that a protest, which had been refused admission to the Journal, might not appear there indirectly. Volume **IV**, section **2804**.

In the earlier practice protests which the House refused to allow in the Journal, appeared there indirectly as part of the rejected motion. Volume **IV**, sections **2801–2803**.

The House having declined to permit protests to be entered on the Journal, the Speakers have declined to entertain motions to amend the Journal which would have effected the purpose indirectly. Volume **IV**, section **2805**.

While a proposed correction of the Journal may be recorded in the Journal, yet it is not in order to insert in full in this indirect way what has been denied insertion in the first instance. Volume **IV**, section **2782**.

It is in order to move to amend the Journal by inserting what the House has refused to hear read. Volume **IV**, section **2804**.

(58) Of the Journal.—Record of.

Instance wherein a correction of the Journal was recorded in the Journal. Volume **IV**, section **2816**.

It was the early practice to record in the Journal all motions to amend the Journal, but in later years the rule has not been adhered to always. Volume **IV**, sections **2775–2779**.

A correction of the Congressional Record, which involves a motion and a vote, is recorded in the journal. Volume **IV**, section **2877**.

Instance wherein the Speaker ruled out of order a motion to amend the Journal by inserting record of proceedings that became null through errors. Volume **IV**, section **2814**.

AMENDMENTS—Continued.**(59) Of Articles of Impeachment.**

Method by which the House amended and voted on the articles of impeachment in the Chase case.

Volume **III**, section **2344**.

Practice in considering and amending articles of impeachment in Committee of the Whole. Volume **III**, section **2344**.

An instance in which a Member after submitting articles of impeachment which were referred to a committee of the House, later submitted amended articles of impeachment which were referred to the same committee. Volume **VI**, section **468**.

In response to respondent's motion to make more certain, the House revised an article of the articles of impeachment and transmitted it to the Senate as amended. Volume **VI**, section **520**.

The amended article of impeachemnt when received in the Senate was filed without being read, it having previously appeared in full in the Record. Volume **VI**, section **521**.

The answer of the respondent to the amended article of impeachment. Volume **VI**, section **521**.

(60) Of the Constitution.—In General.

The Constitution provides the methods by which amendments to it may be proposed and adopted. Volume **V**, section **7025**.

Instance of the receipt and reference of the application of a State legislature for the calling of a convention to amend the Constitution of the United States. Volume **V**, section **7026**.

A joint resolution proposing an amendment to the Constitution is not required to be placed on a calendar of the Committee of the Whole. Volume **VIII**, section **2395**.

No amendment to the Constitution may deprive any State, without its consent, of its equal suffrage in the Senate. Volume **V**, section **7025**.

Forms of resolving clauses used in joint resolutions proposing amendments to the Constitution (footnote). Volume **V**, section **7029**.

A difference between the two Houses as to an amendment to a proposed constitutional amendment may properly be committed to a conference. Volume **V**, section **7037**.

Joint resolutions proposing amendments to the Constitution, although not requiring the approval of the President, have their several readings and are enrolled and signed by the Speaker (footnote). Volume **V**, section **7029**.

It has been conclusively settled that a joint resolution proposing an amendment to the Constitution should not be presented to the President for his approval. Volume **V**, section **7040**.

Joint resolutions proposing amendments to the Constitution are, when passed, filed with the Secretary of State by the Committee on Enrolled Bills. Volume **V**, section **7041**.

The filing with the Secretary of State and the transmission to the States of joint resolutions proposing amendments to the Constitution. Volume **V**, section **7041**.

The two Houses requested the President to transmit to the States forthwith certain proposed amendments to the Constitution. Volume **V**, section **7043**.

On one occasion at least the two Houses have requested the President to transmit to the States a joint resolution proposing an amendment to the Constitution. Volume **V**, section **7041**.

The law makes no provision for notifying the States of the submission of a constitutional amendment and a concurrent resolution requesting the President to transmit to the States such proposed amendments is without privilege. Volume **VIII**, section **3508**.

The President may notify Congress by message of the promulgation of the ratification of a constitutional amendment. Volume **V**, section **7044**.

The original notice of ratification of a constitutional amendment by a State is transmitted to the Secretary of State and a copy to the House, where it is laid before the House by the Speaker and filed in its archives. Volume **VIII**, section **3507**.

AMENDMENTS—Continued.**(60) Of the Constitution.—In General.—Continued.**

As to the power of a State to recall its assent to a constitutional amendment. Volume **V**, section **7042**.

(61) Of the Constitution.—Voting on.

The vote required on a joint resolution proposing an amendment to the Constitution is two-thirds of those voting, a quorum being present, and not two-thirds of the entire membership. Volume **V**, sections **7027**, **7028**.

The vote required for passage of a joint resolution proposing an amendment to the Constitution is two-thirds of those voting, a quorum being present, and not two-thirds of the entire membership. Volume **VIII**, section **3503**.

The requirements of a two-thirds vote for proposing constitutional amendments has been construed, in the later practice, to apply only to the vote on final passage. Volume **V**, sections **7029**, **7030**.

The yeas and nays are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution. Volume **V**, sections **7038**, **7039**. Volume **VIII**, section **3506**.

In considering amendments to the Constitution a two-thirds vote was not required in Committee of the Whole, but was required when the House voted on concurring in Senate amendments. Volume **V**, section **7033**.

A two-thirds vote is required to agree to amendments of the other House to joint resolutions proposing amendments to the Constitution. Volume **V**, section **7034**. Volume **VIII**, section **3505**.

One House having, by a two-thirds vote, passed in amended form a proposed constitutional amendment from the other House, and then having by a majority vote receded from its amendment, the constitutional amendment was held not to be passed. Volume **V**, section **7035**.

A two-thirds vote is required to agree to a conference report on a joint resolution proposing an amendment to the Constitution. Volume **V**, section **7036**.

Proposed amendments to the Constitution may be amended by a majority vote. Volume **V**, sections **7031**, **7032**.

Proposed amendments to the Constitution may be amended by a majority vote. Volume **VIII**, section **3504**.

(62) Of the Constitution.—Jurisdiction of Committees as to.

The Committee on the Judiciary has a general but not exclusive jurisdiction over joint resolutions proposing amendments to the Constitution of the United States. Volume **IV**, section **4056**.

The Committee on the Judiciary has a general but not exclusive jurisdiction over joint resolutions proposing amendments to the Constitution of the United States. Volume **VII**, section **1779**.

A joint resolution proposing a constitutional amendment authorizing mutual taxation of salaries between State and Federal Governments was held to come within the jurisdiction of the Committee on the Judiciary rather than that of the Committee on Ways and Means. Volume **VII**, section **1780**.

Proposed changes of the Constitution as to the terms of Congress and the President, and the time of annual meeting of Congress, have been considered by the Committee on Election of President, Vice-President, and Representatives in Congress. Volume **IV**, section **4302**.

The Committee on Election of President, Vice-President, and Representatives in Congress has reported proposed constitutional amendments providing for election of Senators by the people and the disqualification of polygamists as Representatives. Volume **IV**, section **4300**.

Propositions relating to wages and hours of labor, even when a constitutional amendment has been proposed, have been considered by the Committee on Labor. Volume **IV**, section **4247**.

AMENDMENTS BETWEEN THE HOUSES. "See also Conferences."

- (1) **Conditions and limitations of.**
- (2) **Text to which both Houses have agreed may not be changed.**
- (3) **Precedence of motions as to.**
- (4) **Nature and effect of motions as to.**
- (5) **Agreeing with amendment.**
- (6) **Insisting.**
- (7) **Receding.**
- (8) **Adhering.—General practice.**
- (9) **Adhering.—In relation to conference.**
- (10) **Adhering.—Resulting in loss of bill.**
- (11) **Consideration in the House.**
- (12) **Consideration in Committee of the Whole.**
- (13) **Messages relating to.**
- (14) **Uses of special orders in relation thereto.**
- (15) **When legislation on general appropriation bills is proposed.**
- (16) **When attached to proposed amendments to the Constitution.**

(1) Conditions and Limitations of.

Either House may amend a bill of the other before passing it. Volume **V**, section **6163**.

One House may agree outright in an amendment of the other, may agree with an amendment, or may disagree outright. Volume **V**, section **6163**.

A motion being made to agree to an amendment of the other House with an amendment, it is in order to perfect that amendment by another amendment and a substitute. Volume **V**, section **6175**.

A bill of one House being passed in the other with amendment, the originating House may concur with an amendment, whereupon the other House may concur with still another amendment, but here the process stops. Volume **V**, section **6163**.

An amendment of one House being amended by the other, the first House may amend the last amendment, but further amendment is not permissible. Volume **V**, sections **6167**, **6177**.

An instance of substitute amendments between the Houses carried to the furthest degree. Volume **V**, section **6178**.

One House may pass a bill with blanks to be filled by the other House. Volume **V**, section **5781**.

One House may not send to the other an amendment of its own bill after it is passed. Volume **V**, section **6216**.

The House having disagreed and ordered conferees on Senate amendments on which Senate has insisted and ordered conferees, the stage of disagreement has been reached. Volume **VIII**, section **3232**.

A bill with amendments of the other House is privileged after the state of disagreement has been reached. Volume **VIII**, section **3194**.

After the stage of disagreement had been reached on amendments between the Houses, the Senate decided that new matters might not be brought in by way of amendment. Volume **V**, section **6227**.

The conference on a disagreement as to Senate amendments to a House bill having failed, the Senate reconsidered its action in amending and passing the bill, passed the bill with a new amendment, and asked a new conference. Volume **V**, section **6292**.

Illustration of disposition of amendments between the Houses without intervention of a Committee of Conference. Volume **V**, section **6165**.

Instance wherein, under a unanimous consent agreement, a Senate amendment was taken up after the bill had been sent to conference and agreed to by the House without recommendation or report from the conferees. Volume **VIII**, section **3202**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(1) Conditions and Limitations of—Continued.**

A conference report having been recommitted to the committee of conference, the papers are no longer before the House, and no motion for disposition of the amendments in disagreement is in order. Volume **VIII**, section **3328**.

(2) Text to Which Both Houses Have Agreed May Not be Changed.

When a bill with Senate amendments is taken from the calendar for consideration, only the amendments are before the House, and the remainder of the bill, having been agreed to by both Houses, is not subject to further consideration. Volume **VIII**, section **3187**.

The House may not, even by unanimous consent, change the text to which both Houses have agreed. Volume **V**, section **6179**.

In considering the House Senate amendments to a House bill it is not in order to change the text to which both Houses have agreed. Volume **V**, section **6180**.

The text to which both Houses have agreed may not be changed in the slightest particular. Volume **V**, section **6181**.

The text to which both Houses have agreed may not be amended, even by adding a new section at the end of the bill. Volume **V**, section **6182**.

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. Volume **II**, section **1335**. Volume **V**, sections **6183–6185**.

(3) Precedence of Motions as to.

The parliamentary law governing the precedence and effect of the motions to agree, disagree, recede, insist, and adhere. Volume **V**, section **6164**.

The motions to recede, insist, and adhere have precedence in the order named without regard to the order in which they may be offered. Volume **V**, section **6324**.

The motion to amend an amendment of the other House has precedence of the motion to agree or disagree. Volume **V**, sections **6164**, **6169–6171**.

A motion proposing a substitute for a Senate amendment yields to a motion for a perfecting amendment. Volume **VIII**, section **3184**.

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. Volume **VIII**, section **3187**.

When Senate amendments are taken up for the first time, the motion to concur with an amendment takes precedence over the simple motion to concur, but after the House has disagreed the order is reversed and subsequently the motion to recede and concur takes precedence over the motion to recede and concur with an amendment. Volume **VIII**, sections **3200**, **3202**, **3203**.

The stage of disagreement not being reached, the motion to concur in an amendment of the other House with an amendment has precedence of the simple motion to concur. Volume **V**, section **6321**.

The stage of disagreement not being reached, the motion to concur in an amendment of the other House with an amendment has precedence of the simple motion to concur, but, the stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **VIII**, section **3202**.

The previous question being demanded or ordered on a motion to concur in a Senate amendment, a motion to amend is not in order. Volume **V**, section **5488**.

Before the stage of disagreement has been reached, the motion to refer to a committee Senate amendments returned with a House bill has precedence of a motion to agree to the amendments. Volume **V**, sections **6172–6174**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(3) Precedence of motions as to—Continued.**

The stage of disagreement having been reached, the motion to recede and concur takes precedence over the motion to recede and concur with an amendment, but the motion to recede and concur having been divided, and the House having receded, the motion to concur is first voted on and if rejected then the motion to concur with an amendment. Volume **VIII**, section **3196**.

The previous question having been ordered on a motion to agree to a Senate amendment to a House bill, a motion to commit is in order. Volume **V**, section **5575**.

The stage of disagreement having been reached, the motion to insist has precedence of the motion to refer. Volume **V**, section **6225**.

A motion to recede has precedence of the motion to insist. Volume **V**, section **6308**.

A motion to insist on disagreement to a Senate amendment yields to a motion to agree and is not acted on in event of rejection of the latter motion. Volume **VIII**, section **3183**.

The motion to recede takes precedence of the motion to insist or the motion to ask a conference. Volume **V**, section **6270**.

Although the previous question may have been demanded on a motion to insist, it has been held that a motion to recede and concur might be admitted to precedence. Volume **V**, section **6321a**.

In the consideration of Senate amendments to a House bill the motion to concur takes precedence over the motion to disagree further. Volume **VIII**, sections **3179**, **3204**.

A motion to recede and concur in a Senate amendment takes precedence of a motion to insist further on disagreement to the Senate amendment. Volume **VIII**, section **3205**.

The motion to recede from disagreement and concur in a Senate amendment has precedence of a motion to insist further, but a Member by offering such motion may not deprive the Member-in-charge of the floor. Volume **VIII**, section **3193**.

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. Volume **V**, section **6208**.

After the previous question has been moved on a motion to adhere a motion to recede may not be made. Volume **V**, section **6310**.

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. Volume **V**, sections **6219–6223**.

A motion to recede and concur is divisible, and being divided and the House having receded, a motion to amend has precedence of the motion to concur. Volume **V**, sections **6209–6211**. Volume **VIII**, sections **3197**, **3198**, **3203**.

The motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to insist further on the House's disagreement to the Senate amendment. Volume **V**, section **6224**.

(4) Nature and Effect of Motions as to.

As to the motions to agree or disagree the affirmative of one is equivalent to the negative of the other. Volume **V**, section **6164**.

A negative vote on a motion to concur in a Senate amendment was held equivalent to an affirmative vote to disagree. Volume **VIII**, sections **3178**, **3179**.

The Committee of the House having recommended disagreement to a Senate amendment, and the House having negative a motion to concur in the recommendation, it was held that the House agreed to the amendment. Volume **V**, section **6168**.

The negative of the motion to recede is not equivalent to the affirmative of the motion to insist. Volume **V**, section **6164**.

The motion to agree or concur should be put in the affirmative and not the negative form. Volume **V**, section **6166**.

By receding from an amendment with which it agreed to a Senate amendment the House does not thereby agree to the Senate amendment. Volume **VIII**, section **3199**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(4) Nature and Effect of Motions as to—Continued.**

Amendments being in issue between the Houses, the motion to recede may be repeated at a new stage of the proceedings. Volume **V**, section **6207**.

Before the stage of disagreement is reached the motion to concur with an amendment is not divisible. Volume **VIII**, section **3176**.

On the question of agreeing or disagreeing to a Senate amendment it is not in order to demand a division so as to vote separately on different portions of the amendment. Volume **VIII**, section **3175**.

When a Senate amendment is reported back to the House from Committee of the Whole with an amendment and with the recommendation that the Senate amendment as amended be concurred in, the vote is taken first on the proposed amendment and then on concurrence. Volume **VIII**, section **3192**.

The Committee of the Whole having reported a Senate amendment with the recommendation that it be agreed to with an amendment, a separate vote was had on the amendment to the Senate amendment. Volume **VIII**, section **2420**.

On the question of agreeing or disagreeing to a Senate amendment it is not in order, according to the weight of authority, to demand a division so as to vote separately on different portions of the amendment. Volume **V**, sections **6151–6156**.

The previous question having been ordered to the report of the Committee of the Whole recommending disagreement to Senate amendments, the preferential motion to concur was held not to be in order. Volume **VIII**, section **3211**.

Laying on the table the motion to postpone consideration of Senate amendments was held not to carry to the table pending motions for their disposition. Volume **VIII**, section **2657**.

The Committee of the Whole having reported back Senate amendments to a bill with recommendations for their disposition, it was held that a motion to recommit properly applied to the bill and not to the amendments. Volume **VIII**, section **2743**.

(5) Agreeing with Amendment.

Where the Senate had amended a House bill by striking out a section it was held in order in the House to concur with an amendment inserting a new text in lieu of that stricken out. Volume **V**, section **6186**. Volume **VIII**, section **3190**.

In amending a Senate amendment the House is not confined with the limits of amount set by the original bill and the Senate amendment. Volume **V**, section **6187**.

In the consideration of Senate amendments in the House an amendment must be germane to the particular Senate amendment to which it is offered, it not being sufficient that it should be germane to provisions of the bill. Volume **V**, sections **6188–6191**.

A motion to concur in a Senate amendment with an amendment is not in order while a motion to concur with another amendment is pending, but may be offered as an amendment or as a substitute for the pending motion. Volume **VIII**, section **3201**.

The Committee of the Whole having reported a Senate amendment with the recommendation that it be agreed to with an amendment, a separate vote was had on the amendment to the Senate amendment. Volume **VIII**, section **2420**.

When the House disagrees to a Senate amendment after amending it the adopted amendment is of no effect. Volume **V**, section **6169**.

(6) Insisting.

Both Houses insisting and neither asking a conference, the bill failed. Volume **V**, section **6228**.

When the originating House disagrees to the amendment of the other House the latter may recede from or insist on its own amendment, but may not couple an amendment with this action. Volume **V**, section **6163**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(6) Insisting—Continued.**

Instance wherein, after managers of a conference had reported their inability to agree, a resolution insisting on the House's disagreement to Senate amendments and asking a further conference was admitted as privileged. Volume **V**, section **6272**.

Statement with reference to an unwritten rule of conference that the House proposing an amendment on which agreement can not be secured must recede or accept responsibility for failure of the bill. Volume **VIII**, section **3209**.

The House having under consideration a number of Senate amendments, it was held that a motion to insist on disagreement to one amendment might not include agreement to conference asked by the Senate until disposition of all pending amendments had been determined. Volume **VIII**, section **3210**.

(7) Receding.

When one House recedes from its amendment to a bill of the other, the bill is thereby passed, if there be no other point of difference as to the bill. Volume **V**, section **6312**.

The rejection of a motion to recede from disagreement to a Senate amendment and concur therein is equivalent to further disagreement to the amendment. Volume **VIII**, section **3195**.

One House having receded from certain of its amendments, may not at a subsequent stage recall their action in order to form a new basis for a conference. Volume **V**, section **6251**.

The House may not recede from its own amendments with an amendment. Volume **V**, sections **6216–6218**.

Instance wherein the Senate receded from its own amendment to a House bill with an amendment. Volume **VIII**, section **3183**.

An instance wherein one House receded from its own amendment after the other House had returned it concurred in with an amendment. Volume **V**, section **6226**.

Where one House recedes from its amendment to a bill after the other has concurred in the amendment with an amendment, agreement has not been reached and the bill is not passed. Volume **VIII**, section **3177**.

Instance wherein the Senate receded from its amendment to a House bill, although it had insisted and asked a conference, to which the House had agreed. Volume **V**, section **6319**.

Instance wherein the Senate receded from its disagreement to a House amendment to its amendment, although it had insisted and asked a conference, to which the House had agreed. Volume **VIII**, section **3218**.

By receding from its disagreement to a Senate amendment, the House does not thereby agree to the same. Volume **V**, section **6215**.

By receding from an amendment with which it agreed to a Senate amendment, the House does not thereby agree to the Senate amendment. Volume **VIII**, section **3199**.

The question on a motion to recede from an amendment to a Senate amendment and concur in the Senate amendment may be divided on the demand of any Member. Volume **VIII**, section **3199**.

The House having receded from its disagreement to Senate amendments, they are open to amendment precisely as before the original disagreement. Volume **V**, sections **6212–6214**.

It was very early insisted on as a principle that where on House proposes to an appropriation bill an amendment firmly resisted by the other proposing House should recede. Volume **IV**, section **3905**.

(8) Adhering.—General Practice.

When both Houses have insisted, neither inclining to recede, it is in order to adhere, but in parliament adherence is not usually voted until there have been at least two conferences. Volume **V**, section **6163**.

An instance of immediate adherence to a first disagreement. Volume **V**, section **6303**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(8) Adhering.—General Practice—Continued.**

One House after an amendment or disagreement by the other, may at once adhere, but this does not preclude the granting of the request of the other House for a conference. Volume **V**, sections **6241–6244**.

The House may recede from its disagreement to certain amendments and adhere to it as to others. Volume **V**, section **6229**.

One House having adhered, may at the next stage vote to further adhere. Volume **V**, section **6251**.

The House having adhered to its disagreement to a Senate amendment, and the Senate having insisted, the House receded from its adherence and agreed to the amendment with an amendment. Volume **V**, section **6401**.

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. Volume **V**, section **6253**.

The House may recede from its adherence. Volume **V**, section **6252**.

Instances where, after one House had adhered, the other receded. Volume **V**, sections **6247–6250**.

(9) Adhering.—In Relation to Conference.

A vote to adhere may not be accompanied by a request for a conference. Volume **V**, section **6303**. Volume **VIII**, section **3208**.

After an adherence by both Houses a conference is not asked. Volume **V**, section **6308**.

After one House has adhered the other may recede or ask a conference, which may be agreed to by the adhering House. Volume **V**, sections **6304–6307**.

When one House asks a conference after the other House has adhered, the adhering House may agree to the conference without reconsidering or receding from its vote to adhere. Volume **V**, section **6310**.

One House, having adhered, may recede from its adherence and agree to a conference asked by the other. Volume **V**, section **6251**.

Where one House votes to adhere to its attitude of disagreement the other may vote to insist and ask a conference. Volume **V**, section **6308**.

The Senate having disagreed to an amendment of the House, and the House having insisted, the Senate adhered, whereupon the House, for the first time, asked a conference, which was granted. Volume **V**, section **6309**.

The managers of a conference having reported inability to agree, the House voted to adhere to its disagreements to the Senate amendment, whereupon the Senate receded from it. Volume **V**, section **6312**.

(10) Adhering.—Resulting in Loss of Bill.

An adherence by both Houses to disagreement over amendments causes a bill to fail. Volume **V**, section **6163**.

The inability of the two Houses to agree on even the slightest amendment to a bill causes the loss of the bill. Volume **V**, sections **6233–6240**.

In many instances bills have been lost by the adherence of both Houses, sometimes in earlier days, when no effort at adjustment by conference had been made. Volume **V**, sections **6233–6240**.

Instances of the loss of bills by the adherence of both Houses to attitudes of disagreement over amendments. Volume **V**, section **6313**.

Bills on which one House had adhered have been lost by the expiration of the Congress, even while the roll was being called on a motion to recede that might have passed the bill. Volume **V**, sections **6230–6232**.

Instance of prolonged disagreement resulting in the loss of a bill. Volume **V**, sections **6324**, **6325**.

Instance where a House bill returned with Senate amendments adhered to was postponed indefinitely. Volume **V**, section **6200**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(11) Consideration in the House.**

When Senate amendments to a House bill are considered in the House they are taken up in their order. Volume **V**, sections **6197, 6198**.

When a bill with Senate amendments is taken up for consideration, the amendments must be read before consideration begins. Volume **VIII**, section **3232**.

In the consideration of amendments on a bill pending between the two Houses it is not necessary to read the entire bill when the amendments come up for action. Volume **IV**, section **3407**.

A Senate amendment under consideration in the House is treated for purposes of amendment as an original bill. Volume **VIII**, sections **2825, 2939**.

Under the former rules a House bill with Senate amendments requiring to be referred was referred by vote of the House. Volume **IV**, section **3105**.

Senate amendments to House bills on the Speaker's table not requiring consideration in the Committee of the Whole may be disposed of by motion authorized by the committee reporting the bill. Volume **VIII**, section **2382**.

A House bill with Senate amendments not requiring consideration in the Committee of the Whole, in the absence of disposition by the House on its receipt from the Senate, was referred by the Speaker under clause 2 of Rule XXIV to the appropriate committee. Volume **VI**, section **730**.

A House bill relating to the revenue being returned with a Senate amendment in the nature of a substitute relating to coinage, was in the House referred to the committee having jurisdiction of the subject of the original bill. Volume **IV**, section **4378**.

A private bill of the House returned from the Senate with a substitute amendment of a public nature, was held to be a private bill still. Volume **IV**, section **3288**.

A question of personal privilege has been given precedence over privileged Senate amendments remaining to be disposed of after the rejection of a conference report. Volume **III**, section **2531**.

The highly privileged character of general appropriation bills continues at all stages, including the period after they are returned with Senate amendments. Volume **IV**, section **3148**.

A motion to lay on the table a House bill returned with Senate amendments is in order. Volume **V**, section **6201-6203**.

It is in order to lay on the table Senate amendments to a House bill, and the bill in such a case goes to the table with the amendments. Volume **V**, section **5424**.

In the consideration of Senate amendments a simple motion for the previous question applies to the immediate question only and does not include other pending questions. Volume **VIII**, section **2676**.

Early instances where one House postponed to an indefinite time bills returned from the other with amendments disagreed to and requests for a conference. Volume **V**, section **6199**.

(12) Consideration in Committee of the Whole.

Senate amendments to House bills must be considered in Committee of the Whole if they be such as, originating in the House, would be subject to that requirement. Volume **IV**, section **4796**.

The fact that a House bill was considered in Committee of the Whole is not taken into consideration in determining whether Senate amendments thereto require consideration in the Committee of the Whole, but the question as to whether a charge upon the Government is involved is applied to each amendment received from the Senate. Volume **VIII**, section **2381**.

A Senate amendment which is a modification merely of a House proposition is not required to be considered in Committee of the Whole. Volume **VIII**, section **2383**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(27) Consideration in Committee of the Whole—Continued.**

A Senate amendment which is a modification merely of a House proposition, like the increase or decrease of the amount of an appropriation or a mere legislative proposition, and does not involve new and distinct expenditure, is not required to be considered in Committee of the Whole. Volume **IV**, sections **4797–4806**.

A Senate amendment merely increasing or decreasing the amount of a House appropriation, without providing new subjects of expenditure, does not require consideration in the Committee of the Whole. Volume **VIII**, sections **2382, 2385**.

A Senate amendment restricting the powers granted by a House bill to a commission to refund foreign loans does not require consideration in Committee of the Whole. Volume **VIII**, section **2383**.

A Senate amendment authorizing expenditures from a naval hospital fund is not required to be considered in the Committee of the Whole. Volume **VIII**, section **2382**.

A House bill with Senate amendments requiring consideration in Committee of the Whole should be referred from the Speaker's table to the proper standing committee under the rules. Volume **IV**, sections **3106, 3107**.

General discussion of rule requiring reference from the Speaker's table to a standing committee of House bills returned with Senate amendments such as require consideration in Committee of the Whole. Volume **IV**, sections **3091–3093**.

Where the question of requiring consideration in Committee of the Whole was raised against a Senate amendment which on its face apparently placed a charge upon the Treasury the Speaker held it devolved upon those opposing the point of order to cite proof to the contrary. Volume **VIII**, section **2387**.

Form of special order discharging committee from consideration of House bill with Senate amendments and providing for consideration in Committee of the Whole. Volume **VII**, section **819**.

Form of special order for considering a Senate bill in the Committee of the Whole making in order House committee amendments and providing for separate vote on each. Volume **VII**, section **799**.

Form of special order authorizing a motion to consider Senate amendments in Committee of the Whole. Volume **VII**, section **825**.

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. Volume **IV**, sections **3094, 3095**.

A House bill returned with Senate amendments involving a new matter of appropriation, whether with or without a request for a conference, is referred directly to a standing committee and on being reported therefrom is referred to the Committee of the Whole. Volume **IV**, sections **3108–3110**.

A Senate amendment being such as requires consideration in Committee of the Whole, the bill and amendment are referred directly from the Speaker's table to the appropriate standing committee. Volume **IV**, section **3090**.

The fact that one of several Senate amendments must be considered in Committee of the Whole does not prevent the House from proceeding with the disposition of those not subject to the point of order. Volume **IV**, section **4807**.

Senate amendments being under consideration in the House, and an amendment thereto requiring consideration in Committee of the Whole being proposed, the House at once goes into Committee of the Whole to consider it. Volume **IV**, section **4795**.

A Senate amendment being under consideration and a proposition being made to concur with an amendment requiring consideration and a proposition being made to concur with an amendment requiring consideration in Committee of the Whole, the entire bill goes to the Committee of the Whole, although only one proposed amendment is considered. Volume **IV**, section **4808**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(12) Consideration in Committee of the Whole—Continued.**

An amendment to a Senate amendment providing an appropriation for another purpose than that of the Senate amendment requires consideration in Committee of the Whole. Volume **IV**, section **4795**.

When a House bill with Senate amendments is committed to the Committee of the Whole that committee considers only the amendments. Volume **V**, section **6192**.

Senate amendments referred to the Committee of the Whole must be considered, although they may not be within the rule requiring such consideration. Volume **V**, section **6195**.

In Committee of the Whole a Senate amendment, even though it be very long, is considered as an entirety and not by paragraphs or sections. Volume **V**, section **6194**.

Senate amendments considered in Committee of the Whole are each subject to general debate and amendment under the five-minute rule. Volume **V**, section **6196**.

The process of amending Senate amendments as amended. Volume **V**, section **6193**.

In the Committee of the Whole, as in the House, a negative vote on the motion to concur is equivalent to an affirmative vote to disagree. Volume **VIII**, section **3182**.

(13) Messages Relating to.

One House having taken action on an amendment of the other, informs the latter House by message. Volume **V**, section **6322**.

Form of message where the House disagrees to certain amendments of the Senate to a House bill and agrees to others with amendments. Volume **V**, section **6287**.

Forms of messages announcing disagreements and insistence as to amendments, and asking conferences. Volume **V**, sections **6597–6599**.

Form of message by which one House announces to the other the fact of its disagreement to an amendment of the other House to one of its bills. Volume **V**, section **6321a**.

The fact that the House had informed the Senate that it had agreed to a Senate amendment to a House bill was held not to prevent a motion to reconsider the vote on agreeing. Volume **V**, section **5672**.

A House bill with Senate amendment being lost by a House committee the House ordered a duplicate engrossed copy of the bill and requested of the Senate a copy of the amendment. Volume **IV**, sections **3473, 3474**.

Correction of an error whereby a Senate amendment to a House bill had failed to be included in a message. Volume **V**, section **6606**.

The Senate having proposed an amendment to a Senate bill which had passed both Houses, the House declined to entertain the amendment and by message informed the Senate that it could not act on a matter not in disagreement between the two Houses. Volume **VIII**, section **3185**.

(14) Uses of Special Orders in Relation Thereto.

Form of special order for amending a Senate bill and asking a conference with the Senate thereon. Volume **IV**, sections **3242**.

Form of special order providing for summary agreement to Senate amendment. Volume **VIII**, section **3149**.

Form of special order for considering numerous Senate amendments to a House bill without permitting debate and a vote on each separate amendment and for asking a conference at the same time. Volume **IV**, sections **3243–3249**.

Instance wherein a House bill returned from the Senate with amendments was taken from the Speaker's table and sent to conference on one motion through the medium of a special order. Volume **V**, section **6405**.

(15) When Legislation on General Appropriation Bills is Proposed.

When a Senate amendment proposes on a general appropriation bill an expenditure not authorized by law or legislation, it is in order in the House to perfect it by germane amendments. Volume **IV**, sections **3913–3916**.

AMENDMENTS BETWEEN THE HOUSES—Continued.**(15) When Legislation on General Appropriation Bills is Proposed—Continued.**

A proposition germane but involving legislation has sometimes been admitted as an amendment to a Senate amendment to an appropriation bill, and sometimes ruled out. Volume **IV**, sections **3909–3912**.

The principle seems to be generally accepted that the House proposing legislation on a general appropriation bill should recede if the other House persists in its objection. Volume **IV**, sections **3906–3908**.

A Senate amendment to an appropriation bill which does not propose legislation is not subject to amendments proposing legislation. Volume **VII**, section **1480**.

In 1898 a Senate committee reported against a proposition to add to a general appropriation bill legislation on an important public question, holding it not proper to attempt thus to coerce the House of Representatives. Volume **IV**, section **3904**.

Propositions for the presentation of legislation in Senate amendments (footnote). Volume **IV**, section **3904**.

(16) When Attached to Proposed Amendments to the Constitution.

In considering amendments to the Constitution a two-thirds vote was not required in Committee of the Whole, but was required when the House voted on concurring in Senate amendments. Volume **V**, section **7033**.

A two-thirds vote is required on motions disposing of Senate amendments to propositions requiring a two-thirds vote for passage. Volume **VIII**, section **3178**.

A two-thirds vote is required to agree to a Senate amendment to a joint resolution proposing an amendment to the Constitution. Volume **V**, section **7034**.

A difference between the two Houses as to an amendment to a proposed constitutional amendment may properly be committed to a conference. Volume **V**, section **7037**.

One House having, by a two-thirds vote, passed, in amended form, a proposed constitutional amendment from the other House, and then having, by a majority vote, receded from its amendment, the constitutional amendment was held not to be passed. Volume **V**, section **7035**.

AMERICAN CITIZENS.

Questions relating to the protection of American citizens abroad and expatriation belong to the jurisdiction of the Committee on Foreign Affairs. Volume **VII**, section **1883**.

Conferring of jurisdiction relative to determination of rights of American citizens under treaties or in international litigation is a subject within the jurisdiction of the Committee on the Judiciary. Volume **VII**, section **1784**.

Control and disposition of alien property held by the United States, and the adjudication of conflicting claims of American subjects against foreign governments and foreign subjects against the United States are within the jurisdiction of the Committee on Ways and Means. Volume **VII**, section **1737**.

AMERICAN NATIONAL RED CROSS.

The incorporation of the American National Red Cross and the protection of its insignia are subjects within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4173**.

AMERICAN REGISTRY.

A bill granting American register to a foreign-built vessel is classed as a private bill. Volume **IV**, section **3292**.

AMERICANIZATION.

An appropriation for Americanization work in the District of Columbia was held not to be authorized by law. Volume **VII**, section **1190**.

AMES, ADELBERT.

The Senate overruled its committee and held as qualified Adelbert Ames, who, when elected Senator from Mississippi, was merely stationed there as an army officer, but who had declared his intention of making his home in that State. Volume **I**, section **438**.

AMES, OAKES.

The censure of Oakes Ames for acts done in connection with the *Crédit Mobilier*. Volume **II**, section **1286**.

ANDERSON.

The contempt case of John Anderson before the House in 1818. Volume **II**, sections **1606, 1607**.

The inquiry into the conduct of Harry B. Anderson, United States judge for the western district of Tennessee, in 1931. Volume **VI**, sections **542, 551**.

The Kentucky election case of *Chrisman v. Anderson* in the Thirty-sixth Congress. Volume **I**, section **538**.

The Maine election case of *Anderson v. Reed* in the Forty-seventh Congress. Volume **II**, section **971**.

The Missouri election case of *Switzler v. Anderson* in the Fortieth Congress. Volume **II**, sections **867, 868**.

ANDERSON, SYDNEY, of Minnesota, Chairman.

Decisions on questions of order relating to—

Appropriations. Volume **VII**, sections **1279, 1686**.

Debate. Volume **VIII**, sections **2586, 2594**.

Germaneness. Volume **VIII**, sections **2925, 2938, 2940, 2945, 3026, 3058**.

Recognition. Volume **VI**, section **304**.

Substitute. Volume **VIII**, sections **2838, 2879, 2893, 2896**.

ANDREWS.

The New Mexico case of *Larrazola v. Andrews*, in the Sixtieth Congress. Volume **VI**, section **123**.

ANIMAL INDUSTRY.

The animal industry, inspection of livestock and meat products, and diseases of animals are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4154**.

ANIMALS.

The adulteration of seeds, insect pests, protection of birds and animals in forest reserves, grading of grain, etc., are subjects within the jurisdiction of the Committee on Agriculture. Volume **IV**, section **4157**.

The Committee on Ways and Means no longer exercises jurisdiction as to the seal herds and other revenue producing animals of Alaska. Volume **VII**, section **1725**.

ANNIVERSARIES.

Bills relating to the observance of anniversaries and the commemoration of historical events have been reported by the House branch of the Joint Committee on the Library. Volume **VII**, section **2087**.

Commemoration of the two hundredth anniversary of the birth of George Washington. Volume **VIII**, section **3534**.

ANNOUNCEMENT.

All related proceedings subsequent to the announcement of an erroneous result of a vote fall, the votes to reconsider and lay on the table not excepted. Volume **V**, section **6089**.

A wrong result having been announced on a vote on an amendment to a bill, it was held on the next day that the question recurred to that point with all rights intact although the bill had actually been passed. Volume **V**, sections **6089–6092**.

Where by an error of the Clerk in reporting the yeas and nays the Speaker announces a result different from that shown by the roll, the status of the question must be determined by the vote as actually recorded. Volume **VIII**, section **3162**.

Discovery of error in the count of a vote subsequent to the announcement of the vote, even on another day, vitiates the proceedings. Volume **VIII**, section **3126**.

ANNOUNCEMENT—Continued.

At the end of a yea-and-nay vote on a motion to adjourn, pending a call of the House, Members appearing prior to the announcement of the vote were recorded without the qualification. Volume **VIII**, section **3152**.

On a vote by tellers the Chair announces the vote as reported by the tellers and does not inquire as to the correctness of such report. Volume **VIII**, section **3098**.

Representation being made before announcement of the result that the count by tellers was incorrect, on a close vote, the Chairman ordered a recount. Volume **VIII**, section **3099**.

It is the duty of the Speaker to announce the absence of a quorum without unnecessary delay. Volume **VI**, section **652**.

On discovery of error in announcing the presence of a quorum on a call of the House, a motion to dispense with further proceedings under the call was vacated by unanimous consent and the call resumed. Volume **VI**, section **713**.

The House having recessed after finding itself without a quorum, at the expiration of the recess the Speaker announced the absence of a quorum and entertained a motion for a call of the House. Volume **VI**, section **664**.

The Chairman having announced the absence of a quorum in Committee of the Whole, a motion to rise is in order and if a quorum develops on the vote by which the motion is rejected the roll is not called and the Committee proceeds with its business. Volume **VIII**, section **2369**.

It having been erroneously announced that a quorum had voted when the roll later disclosed the absence of a quorum on the vote, the Speaker declared subsequent proceedings in connection therewith vacated, and the Journal was amended accordingly. Volume **VIII**, section **3161**.

The rules do not provide for announcement of how colleagues would vote if present, and such procedure is by unanimous consent only. Volume **VI**, section **200**.

It is not in order after a record vote on which he failed to vote for a Member to announce how he would have voted if present. Volume **VIII**, section **3151**.

The signal bells having failed to ring announcing a vote, the House ordered that they be tested. Volume **VIII**, section **3155**.

Failure of the bells to function properly in announcing a vote does not waive the rule requiring Members to be in the hall and listening when their names are called. Volume **VIII**, section **3157**.

Failure of the signal bells to announce a vote does not warrant repetition of the roll call. Volume **VIII**, section **3153**.

An instance wherein the Chair after announcing a decision subsequently reversed the opinion. Volume **VIII**, section **3435**.

An instance in which the Speaker announced to the House that after further consideration he did not desire a recent decision to be considered as a precedent. Volume **VIII**, section **2424**.

The two Houses by concurrent resolution provide for the meeting to count the electoral vote, for the appointment of tellers, and for the declaration of the state of the vote. Volume **III**, section **1961**.

At the conclusion of the electoral count the President of the Senate merely announces the state of the vote, which with the list of the votes is entered on the Journals of the two Houses. Volume **III**, section **1918**.

At the electoral count of 1821 arrangement was made for an alternative announcement in case objections should be made to the electoral vote of Missouri, which would not change the result. Volume **III**, section **1066**.

ANNUITY.

Widows of former ex-Presidents are sometimes granted an annuity. Volume **VIII**, section **3584**.

ANNUL.

In a single instance the Senate annulled its action in expelling a Senator. Volume **II**, section **1243**.

ANONYMOUS COMMUNICATIONS.

The House disregards anonymous communications. Volume **V**, section **661**.

ANSORGE.

The New York election case of Ansorge v. Weller in the Sixty-eighth Congress. Volume **VI**, section **163**.

ANTHEM, NATIONAL.

The Committee on the Judiciary has exclusive jurisdiction of bills providing for the adoption of a national anthem. Volume **VII**, section **1775**.

ANTHONY, HENRY B., of Rhode Island, Presiding Officer.

Decision on questions of orders relating to—Quorum of a committee. Volume **IV**, section **4586**.

APOLOGY.

Warm words and an assault having passed between two Members in Committee of the Whole, the House required them to apologize “for violating its privileges and offending its dignity.” Volume **II**, section **1648**.

Censure inflicted by the Speaker on a citizen and his apology to the House appear in full in the Journal. Volume **VI**, section **333**.

A Member having been subjected to censure, the Speaker, after deliberation, laid before the House a letter of explanation and apology from the Member. Volume **VI**, section **236**.

APPEALS.

- (1) **General practice as to taking.**
- (2) **Not entertained—For reasons relating to pending business.**
- (3) **Not entertained—When dilatory.**
- (4) **Not entertained—On questions of recognition.**
- (5) **From decisions of the Clerk presiding during organization.**
- (6) **When a quorum is not present.**
- (7) **Debate on.**
- (8) **Laying on the table.**
- (9) **As affected by withdrawal of a related motion.**
- (10) **Chair’s vote in case of tie.**
- (11) **Relation of motion to reconsider to.**
- (12) **In Committee of the Whole.**
- (13) **During the electoral count.**
- (14) **During impeachment trials.**

(1) General Practice as to Taking.

The Speaker decides all questions of order, subject to appeal. Volume **II**, section **1313**.

The decision of a question of order by the Chair is subject to appeal by any Member. Volume **V**, section **6938**.

The right of appeal insures the House against the arbitrary control of the Speaker, and can not be taken away from the House. Volume **V**, section **6002**.

While an appeal or a motion to adjourn is always in order, a Member must first secure recognition in order to present either. Volume **VI**, section **293**.

In the Senate it was held that an appeal from a decision of the Chair should be presented at the time the decision is announced and before the intervention of further business. Volume **VIII**, section **3280**.

An appeal is not in order when another appeal is pending. Volume **V**, sections **6939–6941**.

While one appeal is pending another may not be taken. Volume **V**, section **5709**.

Under certain circumstances Speakers have admitted one appeal while another was pending. Volume **V**, sections **6942, 6943**.

APPEALS—Continued.

(1) General Practice as to Taking—Continued.

- An appeal may not be entertained on a question of order on which an appeal has just been taken and decided. Volume **IV**, section **3036**.
- A question of order just decided on appeal may not be renewed on the suggestion of additional reasons. Volume **V**, section **6877**.
- An appeal pending at an adjournment on Friday, but related to public and not private business, does not go over to the next Friday, but comes up on the next legislative day. Volume **V**, section **6945**.
- The motion to postpone a day certain was held to be applicable to an appeal from the decision of the Chair. Volume **VIII**, section **2613**.
- Neither a motion nor an appeal may intervene between the motion to adjourn and the taking of the vote thereon. Volume **V**, section **5361**.
- The House having voted to resolve itself into Committee of the Whole, the Chair declined to entertain a motion to adjourn, but did entertain an appeal from his decision. Volume **IV**, section **4728**.
- A special order prohibiting “debate or intervening motion” it was held that an appeal should be entertained. Volume **V**, section **6954**.
- It was the early (but it is not the present) practice that a decision on a point of order should not be recorded in the Journal unless an appeal had been taken. Volume **IV**, section **2847**.
- It is the usual practice that motions, points of order, and appeals not entertained by the Speaker shall not appear in the Journal. Volume **IV**, sections **2844–2846**.
- A Member may not submit a question of order to the House except by appeal. Volume **IV**, section **4930**.
- A decision of the Speaker involving two distinct questions he permitted the question on appeal to be divided. Volume **V**, section **6157**.
- Illustration of the old form of putting the question on appeal. Volume **V**, section **5523**.

(2) Not Entertained.—For Reasons Relating to Pending Business.

- An appeal may not be taken from a response of the Speaker to a parliamentary inquiry. Volume **V**, section **6955**. Volume **VIII**, section **3457**.
- The House has overruled a decision of a Speaker admitting an appeal. Volume **V**, section **6953**.
- The Speaker has declined during a call of the yeas and nays to entertain an appeal from his decision that the roll call might not be interrupted. Volume **V**, section **6051**.
- An appeal from the decision of the Chair is in order during a call of the House. Volume **VI**, section **681**.
- There is no appeal from the count by the Chair of the number rising to demand tellers. Volume **VIII**, section **3105**.
- The Speaker declined to entertain an appeal from his decision refusing recapitulation of a vote. Volume **VIII**, section **3128**.
- In a rare instance in the earlier history of the House a Speaker declined to entertain an appeal which was evidently trivial. Volume **V**, section **5723**.
- The Speaker having decided that words spoken in debate on a pending appeal were out of order, declined to entertain an appeal from the latter decision. Volume **V**, section **6944**.
- While the Speakers have entertained appeals from their decisions as to irrelevancy in debate, they have held that such appeals were not debatable. Volume **V**, sections **5056–5063**.

(3) Not Entertained.—When Dilatory.

- When motions or appeals have been made with an evident purpose of obstruction, the Speaker, acting under the rule, has held them dilatory, either on a point of order being made or without it. Volume **V**, sections **5715–5722**.

APPEALS—Continued.**(3) Not Entertained.—When Dilatory—Continued.**

Pending consideration of a report from the Committee on Rules appeals and the motion to reconsider have been ruled out as dilatory within the meaning of the rule. Volume **V**, section **5739**.

The Speaker has declined to entertain debate or appeal on a question as to dilatoriness of a motion. Volume **V**, section **5731**.

Special orders are often used to further the consideration of business by preventing dilatory motions, and in such cases the Chair has exercised discretion as to entertaining motions to adjourn, for a recess, and appeals. Volume **IV**, sections **3210–3213**.

(4) Not Entertained.—On Questions of Recognition.

There is no appeal from a decision by the Speaker on a question of recognition. Volume **II**, sections **1425–1428**.

The Chair having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. Volume **V**, section **6946**.

Under the earlier practice of the House there was an appeal from a decision of the Speaker on a question of recognition. Volume **II**, sections **1429–1434**.

There is no appeal from a decision by the Speaker on a question of recognition. Volume **VI**, section **292**. Volume **VIII**, sections **2429, 2646, 2762**.

(5) From Decisions of the Clerk Presiding During Organization.

Pending the election of a Speaker or a Speaker pro tempore the Clerk preserves order and decorum and decides questions of order subject to appeal. Volume **I**, section **64**.

Instance wherein during the organization the Clerk of the preceding House declined to entertain an appeal from his decision. Volume **I**, sections **22–24**.

In 1869 the hold-over clerk, basing his authority on the law of 1863, declined to entertain a question of order or an appeal pending the motion to proceed to election of Speaker. Volume **I**, section **79**.

(6) When a Quorum is Not Present.

An appeal from a decision of the Chair may be entertained during proceedings to secure the attendance of a quorum. Volume **IV**, section **3037**.

An appeal from a decision of the Chair is in order during a call of the House. Volume **IV**, section **3010**.

During proceedings to secure a quorum the Chair ruled out of order a motion to reconsider the vote whereby an appeal had been laid on the table. Volume **IV**, section **3037**.

During proceedings under a call of the House it was held that a motion might not be made to reconsider the vote whereby an appeal was laid on the table. Volume **V**, section **5631**.

(7) Debate on.

An appeal from the decision of the Chair is debatable both in the House and in the Committee of the Whole, but debate may be closed in the House by a motion to lay on the table and in the Committee of the Whole by a motion to close debate or to rise and report. Volume **VIII**, section **3453**.

A Member may not speak more than once on an appeal, except by permission of the House. Volume **II**, section **1313**. Volume **V**, section **6938**.

On an appeal from a decision of the Chair it is not in order to debate the merits of the measure under consideration when the question of order was raised. Volume **V**, section **5055**.

It was formerly held that appeals on questions relating to priority of business were not debatable. Volume **V**, section **6952**.

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. Volume **V**, sections **5448, 5449**.

While the names of absentees are being called for excuses on a call of the House neither a motion to excuse nor an incidental appeal is debatable. Volume **IV**, section **2999**.

APPEALS—Continued.**(8) Laying on the Table.**

The motion to lay on the table an appeal from a decision of a question of order does not, when decided in the affirmative, carry to the table the original matter as to which the question of order has arisen. Volume **V**, section **5434**.

After careful consideration it was held in order to reconsider the vote laying an appeal on the table. Volume **V**, section **5630**.

The motion to lay on the table an appeal from a decision of the Chair may be made under general parliamentary law before the adoption of rules. Volume **V**, section **5440**.

(9) As Affected by Withdrawal of a Related Motion.

A motion being withdrawn, all proceedings on an appeal arising from a point of order related to it fell thereby. Volume **V**, section **5356**.

A motion having been withdrawn pending an appeal from a decision that it was in order, it was held that the appeal did not thereby fall. Volume **V**, section **6854**.

Instance of the withdrawal of a motion after the previous question had been ordered on an appeal from a decision on a point of order as to the motion. Volume **V**, section **5356**.

A Member who has, by unanimous consent, presented a bill may withdraw it while the House is dividing on an appeal from a decision relating to a proposed amendment. Volume **IV**, section **3387**.

The ordering of the yeas and nays on a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent the withdrawal of the appeal. Volume **V**, section **5354**.

(10) Chair's Vote in Case of Tie.

When the vote on an appeal has resulted in a tie the Chair has sometimes given a casting vote in favor of his own decision. Volume **V**, section **6956**.

Instance wherein, on a tie vote on an appeal, the Speaker voted in the affirmative. Volume **V**, section **5686**.

Instance wherein the Chair gave a casting vote in case of a tie on an appeal from his decision. Volume **V**, section **5239**.

On an appeal from a decision of the chairman in a committee, the Chair voted to sustain his ruling, thereby producing a tie, and so the decision was sustained. Volume **IV**, section **4569**.

When on an appeal from the decision of the Chair the vote would be a tie after the Chair should have voted to sustain his own decision, an interesting question would be presented. Volume **V**, section **6957**.

(11) Relation of Motion to Reconsider to.

When the House has passed a bill and disposed of a motion to reconsider the vote on its passage it is too late to move to reconsider the vote sustaining the decision of the Chair which brought the bill before the House. Volume **V**, section **5652**.

(12) In Committee of the Whole.

In Committee of the Whole, as well as in the House, a Member may speak but once on an appeal. Volume **V**, section **6951**.

Debate on an appeal in Committee of the Whole has been limited by the committee itself on motion put and carried, or by the committee rising to enable the House to limit it. Volume **V**, sections **6947–6950**.

Debate on appeal in the Committee of the Whole is under the five-minute rule, and is within the discretion of the Chair. Volume **VIII**, sections **2347, 3454**.

Debate on an appeal in the Committee of the Whole is under the five-minute rule and may be closed by the committee. Volume **VII**, section **1608**. Volume **VIII**, sections **2375, 2556, 3453, 3455**.

In recognizing for debate on an appeal in the Committee of the Whole the Chairman alternates between those favoring and those opposing. Volume **VIII**, section **3455**.

It is within the discretion of the Chairman as to whether he will vacate the chair on an appeal from his decision. Volume **VIII**, section **3101**.

APPEALS—Continued.**(12) In Committee of the Whole—Continued.**

After the Chair had announced the result of a vote by tellers he proposed, because of confusion during the voting, to order the vote taken again, but the Committee of the Whole on appeal decided against the proposed action. Volume **V**, section **5995**.

In an exceptional case, when an appeal was taken from a decision of a chairman in Committee of the Whole, the committee rose and reported the question of order for the decision of the House. Volume **IV**, section **4783**.

The Committee of the Whole declined to heed an appeal that it overrule its chairman in order to place legislation urged as desirable on an appropriation bill. Volume **IV**, section **3820**.

(13) During the Electoral Count.

During the electoral count of 1869 the President pro tempore used his discretion about entertaining points of order, but declined absolutely to entertain appeals. Volume **III**, section **1949**.

The Vice-President held in 1873 that an appeal might not be taken in the joint meeting for counting the electoral vote. Volume **III**, section **1952**.

In the joint meeting for the electoral count of 1877 the President pro tempore declined to entertain either a resolution or an appeal. Volume **III**, section **1956**.

(14) During Impeachment Trials.

Instance of an appeal from the decision of the Chief Justice on a question of order arising during the Johnson trial. Volume **III**, sections **2100–2102**.

In the Johnson trial Chief Justice Chase held that the managers might not appeal from a decision of the Presiding Officer as to evidence. Volume **III**, section **2084**.

Instance of an appeal from a ruling of the President pro tempore in the Senate sitting for an impeachment trial. Volume **III**, section **2179**.

An instance wherein a President pro tempore presiding at an impeachment trial declined to entertain an appeal from his decision on a point of order. Volume **III**, section **2088**.

When the judgment of the Senate is asked after the Presiding Officer has ruled on a question of evidence the form of question is, "Is the evidence admissible?" Volume **III**, section **2194**.

The right to ask a decision of the Senate after the Presiding Officer has ruled preliminarily on evidence belongs to a Senator, but not to counsel. Volume **III**, section **2195**.

Instance of an appeal from the decision of the Presiding Officer on a question of evidence during the Swayne trial. Volume **III**, section **2270**.

APPEARANCE OF RESPONDENT IN IMPEACHMENTS.**(1) Time of.****(2) Ceremonies of.****(3) Writ of summons and return.****(4) Calling of respondent.****(5) In person or by attorney.****(6) Custody and bail.****(7) Requests for time to answer.****(8) Failure to appear.****(9) Trial without appearance.****(10) Attendance at trial.****(1) Time of.**

The Senate in its writ of summons in the Blount impeachment fixed respondent's appearance at the next session of Congress. Volume **III**, section **2304**.

In the Blount impeachment the House in conference asked of the Senate an earlier return day of the summons, but the request was denied. Volume **III**, section **2304**.

The Senate decided in the Pickering case that it would take order for respondent's appearance only after articles had been exhibited. Volume **III**, section **2324**.

APPEARANCE OF RESPONDENT IN IMPEACHMENTS—Continued.**(1) Time of—Continued.**

The managers urged, in view of Rule VIII, that President Johnson should answer on the return day, but were overruled. Volume **III**, section **2425**.

The special committee authorized to conduct the investigation held hearings at which Judge Louderback appeared in person and by counsel. Volume **VI**, section **514**.

During the investigation of Judge Wright with a view to impeachment he was permitted to appear before the committee with counsel. Volume **VI**, section **528**.

In the investigation of Judge Dayton the respondent appeared before the subcommittee charged with the investigation and made an extended statement concerning the matters involved. Volume **VI**, section **529**.

In the investigation into the conduct of Judge Wilfley, he appeared before the committee and testified under oath. Volume **VI**, section **525**.

(2) Ceremonies of.

Rule framed to govern ceremonies for appearance and answer of respondent in the Pickering impeachment. Volume **III**, section **2331**.

On his appearance to answer articles of impeachment Mr. Justice Chase was furnished with a chair. Volume **III**, section **2349**.

Ceremonies at the appearance of Judge Peck in response to the writ of summons. Volume **III**, section **2371**.

Neither the managers nor the House attended on the appearance of Mr. Justice Chase in answer to the summons. Volume **III**, section **2349**.

On the day set for the appearance of Judge Humphreys the House, in Committee of the Whole House, attended its managers. Volume **III**, section **2392**.

Under the parliamentary law of impeachments the respondent, if a Lord, answers the summons in his place; if a Commoner, at the bar. Volume **III**, section **2120**.

(3) Writ of Summons and Return.

The writ of summons to one accused in articles of impeachment recites the articles and notifies him to appear at a fixed time and place and file his answer. Volume **III**, section **2127**.

Form of the writ of summons issued for the appearance of William Blount to answer articles of impeachment. Volume **III**, section **2304**.

In Blount's impeachment the return of service of the summons was filed in the Senate before the day set for the appearance. Volume **III**, section **2305**.

The House did not attend the return of summons to William Blount to appear and answer articles of impeachment. Volume **III**, section **2307**.

Form of summons prescribed to command appearance of respondent in the Pickering impeachment. Volume **III**, section **2329**.

Form of resolution directing the issue of a writ of summons to Judge Humphreys and fixing the return day. Volume **III**, section **2391**.

Form of proclamation for appearance of Judge Humphreys and the proof thereof on the day set for appearance. Volume **III**, section **2394**.

Ceremonies at the return of the summons to President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.

On demand of the managers, the Senate ordered summons to be issued for the appearance of Judge Archbald, fixing the day and hour of return. Volume **VI**, section **503**.

Provision for rectification of an error in the process to secure attendance of respondent impeached by the Commons. Volume **III**, section **2116**.

The writ of summons issued for the appearance of Judge Archbald to answer articles of impeachment does not appear in the Journal. Volume **VI**, section **479**.

(4) Calling of Respondent.

In an impeachment case, the writ of summons being returned, the accused is called to appear and answer the articles. Volume **III**, section **2129**.

APPEARANCE OF RESPONDENT IN IMPEACHMENTS—Continued.**(4) Calling of Respondent—Continued.**

The person impeached being called to appear and answer, a record is made as to appearance or nonappearance. Volume **III**, section **2129**.

Rules adopted by the Senate for reading the return, calling the respondent, and entering appearance or default in the first impeachment. Volume **III**, section **2307**.

Forms used by the Sergeant-at-Arms in calling William Blount to appear and answer articles of impeachment. Volume **III**, section **2307**.

Ceremonies at the calling of Judge Pickering to answer the articles of impeachment. Volume **III**, section **2332**.

Form used by the Sergeant-at-Arms in calling Judge Peck to appear and answer the articles. Volume **III**, section **2371**.

Forms of oath, proclamation, and ceremonies at the calling of Judge Humphreys to appear and answer articles of impeachment. Volume **III**, section **2392**.

Form used by the Sergeant-at-Arms in calling President Johnson to appear and answer the articles of impeachment. Volume **III**, section **2424**.

Form of proclamation by the Sergeant-at-Arms calling Judge Louderback to appear and answer the articles of impeachment. Volume **VI**, section **518**.

After trial of impeachment had proceeded for several days, the formality of announcement by the Doorkeeper of appearance in the Chamber of the managers and the respondent was by consent dispensed with. Volume **VI**, section **477**.

(5) In Person or by Attorney.

The person accused in articles of impeachment may appear in person or by attorney. Volume **III**, section **2127**.

The person impeached may appear to answer the articles in person or by attorney, and a record is made as to the mode of appearance. Volume **III**, section **2129**.

A Senate committee concluded in the Pickering impeachment that respondent might answer in person, by attorney, or not at all. Volume **III**, section **2324**.

When the person accused in articles of impeachment appears by agent or attorney a record is made naming the person appearing and the capacity in which he appears. Volume **III**, section **2129**.

Mr. Justice Chase appeared to answer the articles of impeachment “in his own proper person.” Volume **III**, section **2349**.

Judge Peck appeared in person, attended by counsel, in answer to the writ of summons. Volume **III**, section **2371**.

Secretary Belknap appeared in person and with counsel to answer the articles of impeachment. Volume **III**, section **2452**.

In the Blount impeachment a letter from respondent’s attorneys announcing their readiness to attend was filed in the Senate before the day set for appearance. Volume **III**, section **2305**.

President Johnson entered his appearance by a letter addressed to the Chief Justice, and naming the counsel to appear for him. Volume **III**, section **2424**.

In response to the writ of summons Judge Swayne entered appearance by his counsel. Volume **III**, section **2479**.

Judge Louderback appeared in person, attended by counsel, to answer the articles. Volume **VI**, section **518**.

In response to the writ of summons, Judge Archbald appeared in person attended by counsel to answer the articles of impeachment. Volume **VI**, section **501**.

(6) Custody and Bail.

Under the parliamentary law the respondent answers the summons in custody if the case be capital and the accusation be special, but not if it be general. Volume **III**, section **2120**.

APPEARANCE OF RESPONDENT IN IMPEACHMENTS—Continued.

(6) Custody and Bail—Continued.

The accusation being of misdemeanor only, the respondent, under the English usage, does not answer the summons in custody, but the Lords may commit him until he finds sureties for this future appearance. Volume **III**, section **2120**.

In impeaching, the spokesman of the Commons asks that the delinquent be sequestered from his seat or committed, or that the Peers take order for his appearance. Volume **III**, section **2026**.

Articles of impeachment being presented against a Senator, he was sequestered from his seat and was ordered to and did recognize for his appearance. Volume **III**, section **2118**.

Upon the impeachment of William Blount the Senate took him into custody and required bonds for his appearance, and informed the House thereof. Volume **III**, section **2296**.

After his expulsion from the Senate William Blount was surrendered by his bondsmen and gave bonds anew to answer to the impeachment. Volume **III**, section **2298**.

The Blount precedent for requiring bonds of the respondent was discussed adversely in the Peck case. Volume **III**, section **2367**.

(7) Requests for Time to Answer.

Having appeared, Judge Peck asked time to prepare his answer, accompanying the request with an affidavit. Volume **III**, section **2371**.

Mr. Justice Chase, in appearing, was permitted by the Vice-President, without objection of the Senate, to read a paper giving reasons for delaying his answer. Volume **III**, section **2349**.

Mr. Justice Chase, in asking time to prepare his answers to the articles, was called to order by the Vice-President for expressions used. Volume **III**, section **2349**.

In the Swayne impeachment, in response to the motion of respondent's counsel, the Senate granted time after the appearance to represent the answer. Volume **III**, section **2479**.

In the Pickering impeachment counsel for respondent's son presented a petition of the latter setting forth that his father was insane and asking for time to show this. Volume **III**, section **2333**.

(8) Failure to Appear.

William Blount having failed to appear and answer, the House, after discussing English precedents, declining to ask that he be compelled to appear. Volume **III**, section **308**.

William Blount appeared neither in person nor by attorney to answer the articles of impeachment. Volume **III**, section **2307**.

The House declined to instruct its managers as to further proceedings after William Blount had failed to appear and answer. Volume **III**, section **2308**.

No appearance was made on behalf of Judge Pickering and no answer was made to the articles of impeachment. Volume **III**, section **2333**.

The Senate declined to order compulsory process to compel the appearance of Judge Pickering, but authorized a committee to examine the subject. Volume **III**, section **2322**.

In the Pickering case, against the objection of the managers, the court determined to hear the counsel of respondent's son and evidence to show the insanity of the accused. Volume **III**, section **2333**.

On a question of permitting counsel for respondent's son to appear in the Pickering trial the said counsel was not permitted to argue. Volume **III**, section **2333**.

Judge Humphreys did not appear in person or by attorney to answer the articles of impeachment. Volume **III**, section **2393**.

Judge Humphreys having failed to appear to answer the articles of impeachment, the court directed publication of a proclamation for him to appear. Volume **III**, section **2393**.

Under the parliamentary law, if the party impeached at the bar of the Lords do not appear, proclamations are issued giving him a day to appear. Volume **III**, section **2116**.

APPEARANCE OF RESPONDENT IN IMPEACHMENTS— Continued.**(8) Failure to Appear—**Continued.

The party impeached at the bar of the Lords not appearing, his goods may be arrested, and they may proceed. Volume **III**, section **2116**.

(9) Trial Without Appearance.

The person accused in articles of impeachment failing to appear or to answer, the trial proceeds as on a plea of not guilty. Volume **III**, section **2127**.

In the Pickering case the Senate committee concluded that after service of notice of the articles the Senate might proceed to trial whether respondent entered appearance or not. Volume **III**, section **2324**.

The rules for the Pickering trial provided that a record should be made if respondent appeared in person or by counsel, or if he failed to appear. Volume **III**, section **2331**.

The House being informed that William Blount had failed to appear and answer the articles instructed the managers to ask of the Senate time to prepare proceedings. Volume **III**, section **2308**.

After William Blount had failed to appear and answer counsel were admitted on his behalf. Volume **III**, section **2308**.

Judge Humphreys having failed to appear in answer both to the summons and proclamation, the Presiding Officer announced that the managers might proceed in support of the articles. Volume **III**, section **2394**.

(10) Attendance at Trial.

Mr. Justice Chase, after attending during much of his trial, asked leave to retire, and was informed that the rules did not require his attendance. Volume **III**, section **2354**.

In the Louderback impeachment trial the respondent appeared and testified at length in his own behalf. Volume **VI**, section **524**.

APPENDIX OF RECORD.

Matter inserted in the Record under leave to print, if in continuation of remarks actually delivered on the floor, appears in connection with the speech in the body of the Record, but where the Member has not actually occupied the floor such extensions of remarks are printed in the Appendix. Volume **VIII**, section **3485**.

APPOINTMENTS.

Instances wherein the House declined to take from the Speaker the appointment of select committees. Volume **IV**, sections **4475**, **4476**.

Each of the elected officers of the House appoints the employees of his departments provided by law. Volume **I**, section **187**.

The power of appointment to office belongs to the President, and Congress by law may not declare one an officer who is not such in fact. Volume **II**, section **1595**.

Where the President has appointed a diplomatic representative and the appointment has been approved by the Senate, a point of order does not lie against an appropriation for the salary of such representative unless the rate of pay has been otherwise fixed by law. Volume **VII**, section **1248**.

The power of the President to appoint diplomatic representatives to foreign governments and to determine their rank is derived from the Constitution and may not be circumscribed by statutory enactments. Volume **VII**, section **1248**.

Reference to questions arising in the Senate as to recess appointments in a case wherein one session followed its predecessor immediately. Volume **V**, section **6693**.

Discussion of the term "recess of the Senate" as related to the President's power of appointment. Volume **V**, section **6687**.

The question as to when the term of service of a Senator appointed by a State executive to fill a vacancy ceases. Volume **I**, sections **787–790**.

Discussion as to the term of service of a Senator appointed by a State executive to fill a vacancy. Volume **VI**, section **156**.

APPOINTMENTS—Continued.

Ruling by the Vice President on tenure of office of Senators holding temporary appointment in the Senate. Volume **VI**, section **145**.

Reference to cases in the Senate relating to the authority of State executives to make appointments to fill vacancies in the United States Senate (footnote). Volume **I**, section **790**.

The sufficiency of authorization conferred by a State statute on the State executive to appoint a United States Senator under the provisions of the seventeenth amendment to the Constitution. Volume **VI**, section **173**.

A Senator may resign, appointing a future day for his resignation to take effect, and the State executive may, by appointment, fill the vacancy before the date. Volume **II**, section **1228**.

The question as to whether a Member may be appointed to the Board of Managers of the Soldier's Home and become local manager of one of the Homes, is a matter for the decision of Congress itself. Volume **VI**, section **63**.

A member of either House is eligible to appointment to any office not forbidden him by law, the duties of which are not incompatible with those of a Member. Volume **VI**, section **63**.

Clerks and other employees of committees are appointed by the chairman, with the approval of the committee, and are paid at the public expense. Volume **VIII**, section **2206**.

APPORTIONMENT.

- (1) **Provisions of Constitution and leave.**
- (2) **Respective functions of Congress and the States.**
- (3) **Representatives in excess of.—Prima facie title.**
- (4) **Representatives in excess of.—Final right.**
- (5) **Relations of prima facie title to questions as to.**
- (6) **Questions as to, in relation to final right.**
- (7) **In general.**

(1) Provisions of Constitution and Laws.

The Constitution provides that Representatives shall be apportioned among the several States according to their respective numbers, excluding Indians not taxed. Volume **I**, section **301**.

The constitutional provision authorizing an apportionment act based upon each succeeding census in not mandatory, but such enactments are discretionary with Congress. Volume **VI**, section **54**.

Since the enfranchisement of women constitutional provisions relating to apportionment are to be read in connection with the nineteenth amendment. Volume **VI**, section **54**.

The distribution of representatives under the several apportionments (footnote). Volume **I**, sections **301**.

The distribution of representation under the several apportionments. Volume **VI**, section **39**.

The number of Representatives may not exceed one for every 30,000 inhabitants, but each State shall have at least one Representative. Volume **I**, section **301**.

The enumeration to fix the basis of representation is to be made once in every ten years (footnote). Volume **I**, section **301**.

Discussion of the constitutional questions relating to apportionment. Volume **I**, section **316**.

The apportionment of Representatives to the several States under the act of 1901. Volume **I**, section **302**.

From March 3, 1903, the membership of the House is fixed at 386. Volume **I**, section **302**.

From March 3, 1913, the membership of the House was fixed at 435. Volume **VI**, section **40**.

APPORTIONMENT—Continued.**(1) Provisions of Constitution and Laws—Continued.**

The law of 1911 provides that Representatives shall be elected in districts composed of contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants. Volume **VI**, section **44**.

The law of 1911 provides for the election of Representatives in old districts and at large until the respective States shall have rearranged the districts. Volume **VI**, section **46**.

The law of 1911 provides that candidates for Representatives to be elected at large shall be nominated in the same manner as candidates for governor, unless otherwise provided.—The apportionment act of August 8, 1911. Volume **VI**, section **47**.

The act of a State legislature redistricting the State in accordance with the law of 1911 requires the approval of the governor of such State or passage over his veto. Volume **VI**, section **45**.

Under the law of 1929 the President transmits to each fifth Congress a statement of population and apportionment of existing number of Representatives among the several States thereunder. Volume **VI**, section **41**.

If Congress fails to apportion, each State shall be entitled to the number of Representatives shown in the President's statement under the method last used. Volume **VI**, section **43**.

On failure of the Congress to apportion, the Clerk certifies to each State executive the number of Representatives to which the State is entitled under the law. Volume **VI**, section **43**.

The apportionment of Representatives to the several States under the law of 1929. Volume **VI**, section **41**.

The representative of a newly admitted State is in addition to the total number of Representatives fixed by the act of 1901. Volume **I**, section **302**.

The districts in a State shall be equal to the number of its Representatives, no one district electing more than one Representative. Volume **I**, section **303**.

The apportionment act provides that Representatives shall be elected in districts composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants. Volume **I**, section **303**.

The apportionment of 1901 provided for the election of Representatives in old districts and at large until the respective States should have rearranged the districts. Volume **I**, section **304**.

The reduction of its representation is the penalty for a denial of the right to vote by a State. Volume **I**, section **301**.

No penalty is fixed for a denial of the right of suffrage because of rebellion or other crimes. Volume **I**, section **301**.

Discussion of the census and apportionment law of 1850 which applied to succeeding censuses and apportionments. Volume **I**, section **314**.

The first apportionment was fixed by Constitution (footnote). Volume **I**, section **301**.

(2) Respective Functions of Congress and the States.

Discussion of the respective powers of Congress and the States in establishing Congressional districts. Volume **I**, section **310**.

Is the establishing of districts an exercise of the power of regulating the times, places, and manner of elections? Volume **I**, section **310**.

The House in 1842 declared entitled to seats Members elected at large in several States, although the law of Congress required election by districts. Volume **I**, section **310**.

Indorsement of the principle that a State may elect Representatives on a general ticket, even though the law of Congress requires their election by districts. Volume **I**, section **519**.

After the division of Virginia the House recognized a division of the old representation between the two States without specific provisions of law. Volume **I**, section **318**.

The State legislature having included a county while a Congressional district, the House did not examine whether or not it was technically entitled to be so included. Volume **II**, section **911**.

APPORTIONMENT—Continued.**(2) Respective Functions of Congress and the States—Continued.**

The districts in a State shall be equal to the number of its Representatives, no one district electing more than one Representative. Volume **VI**, section **44**.

The law of 1911 provides that Representatives shall be elected in districts composed of contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants. Volume **VI**, section **44**.

A reapportionment by a State legislature which rendered congressional districts of the State less compact and contiguous as to territory and more disproportionate as to population was not disturbed. Volume **VI**, section **53**.

Where the number of Representatives to which a State is entitled pursuant to the act of 1929 is the same as the number under the last previous apportionment and the districts are unchanged, elections of Representatives may be conducted in the same manner as before the reapportionment. Volume **VI**, section **45**.

Where the number of Representatives has been decreased by the new apportionment, all the Representatives must be elected by the State at large unless and until the new districts are created. Volume **VI**, section **45**.

Instance wherein a State legislature twice redistricted the State between enumerations. Volume **VI**, section **53**.

Interpretation of the statutes providing for apportionment. Volume **VI**, section **45**.

(3) Representatives in Excess of.—Prima Facie Title.

A State sending three Representatives when it was entitled to but two, the House gave prima facie effect to only two credentials. Volume **I**, section **314**.

The House did not give prima facie effect to credentials regular in form, but borne by a person in addition to the number of Representatives allowed the State. Volume **I**, section **315**.

The House declined to give prima facie effect to credentials regular in form relating to a seat in addition to those to which the State was entitled. Volume **I**, section **318**.

The House did not give prima facie effect to regular credentials borne by a person claiming a seat in addition to those assigned to a State by law. Volume **I**, section **317**.

In 1879 the Clerk declined to honor a regular credential for a Representative at large to which the State was not entitled by law. Volume **I**, section **51**.

The Clerk declined to enroll a person bearing regular credentials, but claiming to be a Representative in addition to the number apportioned to his State. Volume **VI**, section **54**.

The Clerk declined to enroll a person bearing regular credentials, but claiming to be a Representative in addition to the number apportioned to his State. Volume **I**, section **317**.

(4) Representatives in Excess of.—Final Right.

California having in good faith elected one Member in excess of her apportionment, Congress by law provided for his admission. Volume **I**, section **34**.

A State having elected on a general ticket three Representatives when it was entitled to but two, the House denied a seat to the one receiving the fewest votes. Volume **I**, section **314**.

The House denied the claim of a State to representation greater than the apportionment had given to her when the reasons for such claim applied to many other States. Volume **I**, sections **316**, **317**.

The House denied the claim of a State to representation greater than the apportionment had given her when the reasons for such claims applied to many other States. Volume **VI**, section **54**.

Review of the acts of Congress giving increased Representatives in special cases. Volume **I**, section **316**.

Reference to the claim of Nebraska for additional representation. Volume **I**, section **319**.

APPORTIONMENT—Continued.**(5) Relations of Prima Facie Title to Questions as to.**

Credentials being in regular form and unimpeached, the House honors them, although there may be a question as to the proper limits of the constituency. Volume **I**, sections **535**, **536**.

Credentials being unimpeached, the status of the district under an apportionment law is a question of final rather than prima facie right. Volume **I**, sections **535**, **536**.

(6) Questions as to, in Relation to Final Right.

The New Hampshire districts being changed after Representatives to the Thirty-first Congress were elected, an election to fill a vacancy was called in the new district, and the election was sustained. Volume **I**, section **311**.

The North Carolina districts being changed after Representatives to the Forty-eighth Congress were elected, the House did not disturb the Member chosen in a new district to fill a vacancy in an old district. Volume **I**, section **312**.

An election to fill a vacancy being held in a newly apportioned district, the larger portion of which was new, both as to territory and people, the Elections Committee considered the election invalid. Volume **I**, section **327**.

(7) In General.

A bill making an apportionment of Representatives presents a question of constitutional privilege. Volume **I**, sections **307**, **308**. Volume **VI**, section **51**.

Bills relating to the census or apportionment, though privileged, held subject to the rules of the House providing for the consideration of privileged questions. Volume **VI**, section **48**.

A bill relating to the taking of the census was formerly held to be privileged because of the constitutional requirement. Volume **VI**, section **49**.

Bills providing for the reapportionment of Representatives in Congress have been referred to the Union Calendar. Volume **VIII**, section **2396**.

The abridgement of the elective franchise with reference to apportionment as well as the collection of general statistics have been considered by the Committee on Census. Volume **IV**, section **4352**.

The rule confers on the Committee on the Census jurisdiction of "all proposed legislation concerning the census and the apportionment of Representatives." Volume **IV**, section **4351**.

References to discussions of questions relating to apportionment (footnote). Volume **I**, section **301**.

The Virginia election case of *Parsons v. Saunders*, in the Sixty-first Congress. Volume **VI**, section **53**.

The Texas election case of *E. W. Cole* in the Sixty-eighth Congress. Volume **VI**, section **54**.

Form of the first certificate of notification under the law of 1929. Volume **VI**, section **43**.

Statement of population and apportionment thereunder submitted to the Seventy-first Congress, and form of message transmitting it. Volume **VI**, section **42**.

APPROPRIATIONS.

(1) Authorization of—Rule as to.

(2) Authorization of—Burden of proof.

(3) Authorization of—Prior appropriation not sufficient of itself.

(4) Authorization of—Constitution as.

(5) Authorization of—Treaty as law for.

(6) Authorization of—For salaries and offices.

(7) Authorization of—For employees in executive departments.

(8) Authorization of—For employees of the House.

(9) Authorization of—Contingent expenses.

APPROPRIATIONS—Continued.

- (10) Authorization of—For buildings, purchase of land, etc.
- (11) Authorization of—Various independent agencies and commissions.
- (12) Authorization of—Diplomatic service.
- (13) Authorization of—Indians.
- (14) Authorization of—Automobiles, other vehicles and travel, generally.
- (15) Authorization of—Forests, roads, parks, and schools.
- (16) Authorization of—For general works.
- (17) Authorization of—For payment of claims.
- (18) Authorization of—Reappropriations.
- (19) Authorization of—Limits of costs, etc.
- (20) Authorization of—For investigations in the Department of Agriculture.
- (21) Authorization of—Scientific research, generally.
- (22) Authorization of—By implication.
- (23) Authorization of—Not in order by implication.
- (24) Authorization of—General decisions as to allowable expenditures.
- (25) Authorization of—General decisions as to expenditures not in order.
- (26) Authorization of—In the agricultural bill.
- (27) Authorization of—In the deficiency bills.
- (28) Authorization of—In the District of Columbia bill.
- (29) Authorization of—In the Independent Offices bill.
- (30) Authorization of—In the Interior Department bill.
- (31) Authorization of—In the legislative branch bill.
- (32) Authorization of—In the Navy Department bill.
- (33) Authorization of—In the State, Justice, Commerce, and Labor bill.
- (34) Authorization of—In the Treasury and Post Office bill.
- (35) Authorization of—In the War Department bill.
- (36) Available immediately and available until expended.
- (37) Claims.—Authorized by existing law.
- (38) Claims.—Unauthorized.
- (39) Committee of the Whole.—Require consideration in.
- (40) Committee of the Whole.—High privilege of motion to go into.
- (41) Committee of the Whole.—Consideration in. See also "Committee of the Whole."
- (42) Committee on.
- (43) Committee on—Reports of and privilege of.
- (44) Committees.—Jurisdiction of other than committee on appropriations.
- (45) Constitutional provisions as related to.
- (46) Continuation of public works.—The rule and its interpretation.
- (47) Continuation of public works.—New buildings or new construction at existing institutions.
- (48) Continuation of public works.—Selection of site or making of survey not a beginning.
- (49) Continuation of public works.—Repairs and construction of buildings, hospitals, and lighthouses.
- (50) Continuation of public works.—Purchase of additional land for an existing work.
- (51) Continuation of public works.—Vessels for Navy, etc.
- (52) Continuation of public works.—Docks.
- (53) Continuation of public works.—Roads and bridges.
- (54) Continuation of public works.—Submarine cables.
- (55) Continuation of public works.—Manufacturing plants.
- (56) Continuation of public works.—General examples of continuing work.
- (57) Continuation of public works.—Matters of intangible nature or of indefinite continuance.

APPROPRIATIONS—Continued.

- (58) Continuation of public works.—General decisions as to what are not in.
- (59) Continuation of public works.—As to maintenance, operation, etc.
- (60) Deficiency and supplemental.
- (61) Estimates for.
- (62) General appropriation bills.
- (63) Legislation.—Rule and general principles.
- (64) Legislation.—Repealing, reenacting, amending or construing existing law.
- (65) Legislation.—May be authorized by special order, etc.
- (66) Legislation.—Perfecting by amendment.
- (67) Legislation.—Limits of cost and contractual authority.
- (68) Legislation.—Changes in organization of agencies.
- (69) Legislation.—Public service in general.
- (70) Legislation.—Offices and salaries.
- (71) Legislation.—Interference with executive discretion, and imposing new duties.
- (72) Legislation.—General decisions as to what constitutes.
- (73) Legislation.—General decisions as to language held not involving legislation.
- (74) Legislation.—Senate amendments proposing.
- (75) Legislation, retrenchment (Holman Rule).—The rule and its interpretation.
- (76) Legislation, retrenchment (Holman Rule).—Must show retrenchment on its face.
- (77) Legislation, retrenchment (Holman Rule).—What constitutes retrenchment under.
- (78) Legislation, retrenchment (Holman Rule).—Not retrenching expenditure under.
- (79) Legislation, retrenchment (Holman Rule).—Reduction in number and salary of officers.
- (80) Legislation, retrenchment (Holman Rule).—Not effecting reduction in number and salary of officers.
- (81) Legislation, retrenchment (Holman Rule).—Reduction of compensation of persons paid out of the Treasury of the United States.
- (82) Legislation, retrenchment (Holman Rule).—Reduction of amounts covered by bill.
- (83) Legislation, retrenchment (Holman Rule).—Must be germane.
- (84) Legislation, retrenchment (Holman Rule).—When accompanied by additional legislation.
- (85) Legislation, retrenchment (Holman Rule).—The proviso.
- (86) Limitations on general appropriation bills.—Theory and principles of.
- (87) Limitations on general appropriation bills.—Must apply solely to pending appropriation.
- (88) Limitations on general appropriation bills.—Legislation not to be proposed in form of.
- (89) Limitations on general appropriation bills.—“Unless”, “Until”, “Hereafter”, “Except”.
- (90) Limitations on general appropriation bills.—As to restriction of Executive discretion.
- (91) Limitations on general appropriation bills.—May not include affirmative directions.
- (92) Limitations on general appropriation bills.—As related to purchases and construction generally.
- (93) Limitations on general appropriation bills.—As related to salaries generally.
- (94) Limitations on general appropriation bills.—As related to salaries in the military and naval service.

APPROPRIATIONS—Continued.

- (95) **Limitations on general appropriation bills.—As related to qualifications of recipients of an appropriation.**
 - (96) **Limitations on general appropriation bills.—Miscellaneous examples of.**
 - (97) **Limitations on general appropriation bills.—Miscellaneous examples of language held not in order as.**
 - (98) **Miscellaneous decisions.**
 - (99) **Points of order.**
 - (100) **Reappropriations.**
 - (101) **Trust funds.**
 - (102) **What constitutes an appropriation.**
- (1) **Authorization of.—Rule as to.**
- A rule forbids in a general appropriation bill any appropriation not previously authorized by law, unless in continuation of works or object in progress. Volume **IV**, section **3578**. Volume **VII**, section **1125**.
 - Form and history of section 2 of Rule **XXI**. Volume **VII**, section **1125**.
 - The point of order against unauthorized appropriations or legislation in general appropriation bills may be made against a portion of a paragraph, even though it be not more than two words. Volume **IV**, section **3652**.
 - An authorization of law for appropriations should be construed strictly and any legitimate doubt as to authority for an appropriation should be resolved in the negative. Volume **VII**, section **1216**.
 - If a motion to strike out certain words in a paragraph of appropriation in a general appropriation bill would change the object from one authorized by existing law to one not so authorized, the motion is not in order. Volume **IV**, section **3596**.
 - When a Senate amendment proposes on a general appropriation bill an expenditure not authorized by law or legislation it is in order in the House to perfect it by germane amendments. Volume **IV**, sections **3913–3916**.
 - The simple increase of an appropriation over the amount carried for the same purpose in a former bill does not constitute a change of law. Volume **IV**, section **3586**.
 - A reappropriation of an unexpended balance for an object authorized by law may be made on a general appropriation bill. Volume **IV**, sections **3591, 3592**.
 - The reappropriation of a sum required by law to be covered into the Treasury was held not to be a change of law. Volume **IV**, section **3593**.
 - The omission to appropriate during a series of years for an object authorized by law does not repeal the law, and consequently an appropriation when proposed is not subject to the point of order. Volume **IV**, section **3595**.
 - Those upholding an item in an appropriation should have the burden of showing the law authorizing it. Volume **IV**, section **3597**.
 - Provision for an authorized service must be made in the exact terminology of the authorizing statute and the change of a single term in descriptive terminology is subject to a point of order. Volume **VII**, section **1464**.
 - Authorization for a general appropriation is not to be construed as authorizing an appropriation for a specific purpose. Volume **VII**, section **1452**.
 - Legislation unobjected to and admitted on general appropriation bills may authorize appropriations in future bills. Volume **VII**, section **1269**.
 - Appropriations for essential and appropriate equipment for transacting official business of authorized governmental agencies are in order on appropriation bills although unauthorized by specific statute. Volume **VII**, section **1253**.
 - A point of order being made against an entire paragraph, the whole of it must go out, although a portion only is subject to the objection. Volume **VII**, sections **1246, 1276, 1283**.
 - The title of an act is not law and is not considered in construing its provisions. Volume **VII**, section **1254**.

APPROPRIATIONS—Continued.**(1) Authorization of.—Rule as to—Continued.**

Under the former practice, when jurisdiction over appropriations was distributed among several committees, an amendment proposing an appropriation for Indians of Alaska (ordinarily carried in the sundry civil appropriation bill) was held not germane to the Indian appropriation bill. Volume **VII**, section **1203**.

The reenactment from year to year of a law intended to apply during the year of its enactment is not to be construed as authorizing appropriations for subsequent years. Volume **VII**, section **1165**.

A law passed by a prior Congress may not authorize legislation—like the specifying of contracts—on a general appropriation bill as against a rule of the existing House forbidding such legislation. Volume **IV**, section **3579**.

Provisions in the pending bill, though read and passed by the committee, are not construed as “existing law” within the purview of clause 2 of Rule **XXI**. Volume **VII**, section **1476**.

The fact that the Government is to be reimbursed for an unauthorized expenditure does not make it in order on an appropriation bill. Volume **VII**, section **1228**.

(2) Authorization of.—Burden of Proof.

Those upholding an item in an appropriation should have the burden of showing the law authorizing it. Volume **IV**, section **3597**. Volume **VII**, section **1275**.

The question of admitting an amendment should be decided from the provisions of its text rather than from purposes which circumstances may suggest. Volume **IV**, section **3998**.

The admissibility of an amendment should be judged from the provisions of its text rather than from the purpose which circumstances may suggest. Volume **V**, section **5783**.

If a motion to strike out certain words in a paragraph of appropriation in a general appropriation bill would change the object from one authorized by existing law to one not so authorized, the motion is not in order. Volume **IV**, section **3596**.

The charge that a committee has reported a bill containing items of appropriation not in order under the rules does not present a question of privilege. Volume **III**, section **2608**.

It is incumbent upon the proponent of an amendment to cite authority of law when that point is raised. Volume **VII**, sections **1179**, **1199**.

When the question of authorization is raised against a paragraph in an appropriation bill it is incumbent upon the committee reporting the bill to cite the law sanctioning the appropriation. Volume **VII**, section **1233**.

A question of authorization being raised against an item in an appropriation bill, it is incumbent upon the Member in charge of the bill to submit citation of authority. Volume **VII**, section **1276**.

While the burden of showing authorization for an appropriation rests upon those supporting the proposed legislation, if a law apparently supporting the appropriation is cited, the burden thereupon shifts to the opposition to show limitation of such law by subsequent legislation. Volume **VII**, section **1191**.

(3) Authorization of.—Prior appropriation not sufficient of itself.

An appropriation for an object in an annual appropriation bill makes law only for that year, and does not become “existing law” to justify a continuance of the appropriation. Volume **IV**, sections **3588**, **3589**. Volume **VII**, sections **1128**, **1145**, **1149**, **1191**.

The mere appropriation for a salary does not thereby create an office so as to justify appropriations in succeeding years. Volume **IV**, section **3590**.

An appropriation for an object unauthorized by law, however frequently made in former years, does not warrant similar appropriations in succeeding years. Volume **VII**, section **1150**.

Whether appropriations for purposes unauthorized by law have been carried in prior appropriation bills is not material in determining whether appropriations for such purposes are in order in succeeding years. Volume **VII**, section **1151**.

(4) Authorization of.—Constitution as.

Constitutional provisions, however explicit, are not sufficient to warrant appropriations not previously authorized by law. Volume **VII**, section **1144**.

APPROPRIATIONS—Continued.**(4) Authorization of.—Constitution as—Continued.**

The provision of the Constitution directing the President to make recommendations to Congress was held not to authorize appropriations for agencies to secure information to be used in the discharge of that duty. Volume **VII**, section **1197**.

Although the purpose for which proposed is sanctioned by the Constitution, an appropriation is not in order on general appropriation bills unless authorized by provision of statutory law. Volume **VII**, section **1197**.

The power of the President to appoint diplomatic representatives to foreign governments and to determine that rank is derived from the Constitution and may not be circumscribed by statutory enactments. Volume **VII**, section **1248**.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of all ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII**, section **1248**.

Where the President has appointed a diplomatic representative and the appointment has been approved by the Senate, a point of order does not lie against an appropriation for the salary of such representative unless the rate of pay has been otherwise fixed by law. Volume **VII**, section **1248**.

(5) Authorization of.—Treaty as Law for.

Where provisions of a treaty are susceptible of conflicting interpretations, questions of doubt are to be resolved in favor of the more liberal construction. Volume **VII**, section **1139**.

In determining the extent to which treaties authorize appropriations on appropriation bills, ambiguous provisions are to be construed in favor of authorization. Volume **VII**, section **1139**.

A treaty having been ratified by one only of the contracting parties, it was held not to have become law to the extent of sanctioning an appropriation on an appropriation bill. Volume **IV**, section **3587**.

A claim having been adjudicated under authority of a treaty, an appropriation for its payment was admitted on the deficiency bill. Volume **IV**, section **3644**.

Dicta to the effect that a treaty when duly ratified by the contracting parties thereto becomes existing law to the extent of authorizing an appropriation on an appropriation bill. Volume **VII**, section **1342**.

A treaty entering into mutual agreement to reduce the number of combat ships maintained by the high contracting parties was held to authorize appropriations for the conversion of such ships. Volume **VII**, section **1143**.

A treaty providing for mutual reports by contracting nations to an international bureau was held to sanction appropriations for the bureau's maintenance although no treaty had been entered into providing for establishment of the bureau. Volume **VII**, section **1142**.

A convention with foreign nations organizing and establishing an international association was held to justify an appropriation for its support. Volume **VII**, section **1141**.

A treaty establishing an international institute authorizes an appropriation in a general appropriation bill for sending delegates to the institute. Volume **VII**, section **1138**.

Treaty stipulations providing for protection of the Panama Canal and enactments in conformity therewith was held to authorize appropriations for canal fortifications. Volume **VII**, section **1137**.

The right granted by treaty and supplemental legislation to maintain civil government in the Canal zone was held to authorize appropriations in general appropriation bills for such maintenance. Volume **VII**, section **1134**.

A convention arrived at by Executive correspondence and not formally ratified by the contracting parties was not held to constitute a treaty to the extent of authorizing an appropriation on an appropriation bill. Volume **VII**, section **1135**.

APPROPRIATIONS—Continued.**(5) Authorization of.—Treaty as law for—Continued.**

A treaty authorizing appropriations for Indian tribes subscribing as contracting parties thereto does not sanction appropriations for other Indian tribes. Volume **VII**, section **1136**.

An appropriation for maintaining an international institute, in excess of the amount provided by treaty as the quota which the United States should contribute for that purpose, is not in order on an appropriation bill. Volume **VII**, section **1138**.

A treaty sanctioning employment of counsel to represent an international court was held not to authorize employment of counsel to represent this Government before such court. Volume **VII**, section **1140**.

(6) Authorization of.—For Salaries and Offices.

Propositions to increase salaries fixed by law or appropriate for offices not established by law are subject to a point of order. Volume **IV**, sections **3664–3667**.

The mere appropriation for a salary does not thereby create an office so as to justify appropriations in succeeding years. Volume **IV**, sections **3590, 3672, 3697, 3698**.

Where the law fixes the amount of a salary a proposition to increase the amount is not in order on an appropriation bill. Volume **IV**, sections **3676–3679**.

The law having established an office and fixed the salary it is not in order on an appropriation bill to provide for an authorized office and salary in lieu of it. Volume **IV**, section **3680**.

The appropriation of a less sum than the amount fixed by law for a salary is not a change of law, even though a legislative provision in another portion of the bill may give it the practical effect of a reduction of the salary. Volume **IV**, sections **3681–3685**.

The provision of the current law of an appropriation does not fix a salary as against a provision of general law. Volume **IV**, section **3686**.

In the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary, although in violation of the general rule that the appropriation bill makes law only for the year. Volume **IV**, sections **3687–3696**.

The general law authorizing the employment in the Executive Departments of such clerks as may be appropriated for is held to authorize appropriations for clerkships not otherwise authorized. Volume **IV**, section **3675**.

The law authorizing the heads of departments to employ such clerks as may be appropriated for does not apply to officers not allotted to departments or to officers not at the seat of Government. Volume **IV**, sections **3670–3674**.

A general law authorizing certain employees when specifically provided for in an appropriation bill, a provision making the appropriation for them was held in order. Volume **IV**, section **3668**.

Construction of the law authorizing the employment of “watchmen, laborers, and other employees” in the Executive Departments. Volume **IV**, sections **3669, 4739**.

A law authorizing the employment of “watchmen, laborers, and other employees” was held not to contemplate such officials as superintendents and clerks in a department. Volume **IV**, section **3590**.

The statute requiring specific authorization and appropriation for clerks and other employees in the Executive Departments. Volume **IV**, section **3700**.

While a statute creating a bureau for a declared purpose may authorize a lump-sum appropriation for carrying out that purpose, it does not create offices or warrant appropriations for salaries of specific offices. Volume **VII**, section **1315**.

While completion of a biological station is such a work in progress as to justify a lump-sum appropriation for that purpose, an appropriation for designated personnel to operate such station is not to be construed as provision for a work in progress and is not in order on an appropriation bill. Volume **VII**, section **1314**.

The statute creating the Bureau of Education was held not to justify an appropriation for specific offices not otherwise authorized by law. Volume **VII**, section **1315**.

APPROPRIATIONS—Continued.**(6) Authorization of—For Salaries and Offices—Continued.**

- It is in order to appropriate specifically a specified salary previously paid from a lump-sum appropriation made under authority of law for an office created by an executive in charge of the lump-sum appropriation. Volume **VII**, section **1319**.
- A position having been created by law without fixing the amount of salary to be paid incumbent, any amount of salary provided therefor in an appropriation bill is not subject to a point of order. Volume **VII**, section **1324**.
- A provision in an annual appropriation bill that rates of compensation therein appropriated should constitute the permanent rate of compensation until otherwise provided by law was held to establish salaries only and not the offices for which provided. Volume **VII**, section **1326**.
- An appropriation to increase the authorized salary of the engineer commissioner of the District of Columbia was held not to be in order on an appropriation bill. Volume **VII**, section **1331**.
- An appropriation for maintenance of an assay office permanently established by law was held to be in order on an appropriation bill. Volume **VII**, section **1269**.
- Expenses incurred by Naval officers on shore patrol duty, although not specifically authorized by law, are necessarily incidental to their service, and appropriations to pay them are in order on an appropriation bill. Volume **VII**, section **1235**.
- Mere statutory reference to an office is not sufficient authorization to warrant an appropriation for pay of incumbent. Volume **VII**, section **1215**.
- Creation of a commission to investigate advisability of continuing a service formerly authorized but discontinued on expiration of statutory authorization does not authorize appropriation for continuance of the service, and an amendment providing for such appropriation is legislation. Volume **VII**, section **1459**.

(7) Authorization of.—For Employees in Executive Departments.

- The general law authorizing the employment in the Executive Departments of such clerks as may be appropriated for is held to authorize appropriations for clerkships not otherwise authorized. Volume **IV**, section **3675**. Volume **VII**, section **1321**.
- Statutes authorizing the employment of such departmental clerks “as may be appropriated for by Congress from year to year” or “as Congress may from time to time provide” were held to warrant appropriations for clerkships not otherwise authorized. Volume **VII**, section **1316**.
- The law authorizing the heads of Departments to employ such clerks as may be appropriated for does not apply to officers not allotted to Departments, or otherwise not at the seat of Government. Volume **IV**, sections **3670–3674**.
- The law authorizing the heads of departments to employ such labor as may be appropriated for does not apply to labor not at the seat of government. Volume **VII**, section **1318**.
- A general law authorizing certain employees where specifically provided for in an appropriation bill, a provision making the appropriation for them was held in order. Volume **IV**, section **3668**.
- Construction of the law authorizing the employment of “watchmen, laborers, and other employees,” in the Executive Departments. Volume **IV**, sections **3669, 4739**.
- Construction of the law authorizing the employment of mechanics and laborers and other employees in the executive departments. Volume **VII**, section **1317**.
- Construction of the law authorizing the employment of “watchmen, messengers, and laborers” in the executive departments. Volume **VII**, section **1027**.
- The organic acts creating the Departments of Commerce and Labor, and subsequently the Department of Labor, were held to authorize lump-sum appropriations for special employees. Volume **VII**, section **1325**.
- Statutory provision for such employees “as may be authorized by law” is construed to authorize appropriations to pay classes of employees so authorized. Volume **VII**, section **1325**.

APPROPRIATIONS—Continued.**(7) Authorization of.—For Employees in Executive Departments—Continued.**

While the organic law establishing a department permits additions to the regular force of employees by classes, the addition of specified employees is not authorized. Volume **VII**, section **1163**.

The organic law establishing the Department of Agriculture authorizes appropriation for necessary employees, and increases may be made in clerks by classes, or of clerks unclassified or by the transfer of clerks from those paid from lump sum appropriations to the statutory roll. Volume **VII**, section **1164**.

A law establishing a definite policy was held to authorize appropriations for agents to carry out such policy and instrumentalities promoting the efficiency of those agents. Volume **VII**, section **1184**.

An appropriation for commercial attachés to be appointed by the Secretary of Commerce was held by the House to be authorized by the organic law creating the Department of Commerce. Volume **VII**, section **1257**.

An appropriation for compensation of temporary employees to be fixed by the Executive was held to be authorized by law. Volume **VII**, section **1268**.

A statute general in form authorizing salaries is superseded by a subsequent statute specifying the personnel to be paid, and an appropriation for salaries of others than those specified is not in order. Volume **VII**, section **1277**.

The law creating the Department of Agriculture authorizes appropriations for salaries of employees essential to its proper maintenance without designating the names of positions in which they shall serve, and in the absence of statutory provision to the contrary it is in order in an appropriation bill to name such position or to change the name of any division, bureau, or office previously appropriated for. Volume **VII**, section **1330**.

A general law authorizing the promotion of clerks from one class to another, without limitation as to number, a provision for the promotion of any number is in order. Volume **VII**, section **1328**.

A general law authorizing the heads of departments to employ such clerks as may be appropriated for, a provision making appropriation for clerks so employed was held to be in order. Volume **VII**, section **1322**.

The law authorizing the heads of departments to employ such clerks as may be appropriated for was held to warrant an appropriation for clerks in the field force of the Civil Service Commission. Volume **VII**, section **1320**.

The granting of quarters as part of the compensation of a civil employee without a proportionate reduction of salary was held to be contrary to law and not to be in order on an appropriation bill. Volume **VII**, section **1128**.

Payment of per diem allowances in lieu of subsistence due employees of the executive department is authorized by law. Volume **VII**, section **1329**.

An appropriation to reimburse officials for services and expenses, however valid, is an appropriation for a private claim and is not in order on an appropriation bill. Volume **VII**, section **1184**.

Statutory authorization for paying expenses of "advertisement of sale" was construed not to justify payment of salaries of employees in connection with such sale. Volume **VII**, section **1323**.

Provision of a law establishing a Government plant or station was held not to justify an appropriation for designated personnel necessary for its operation. Volume **VII**, section **1314**.

The term "additional places" as used in the organic act creating the Department of Agriculture authorizes the creation of new positions and appropriations for salaries of additional clerks to fill them. Volume **VII**, section **1164**.

The law authorizing the heads of departments to employ such clerks as may be appropriated for was held to authorize clerkships not otherwise authorized. Volume **VII**, section **1321**.

APPROPRIATIONS—Continued.**(8) Authorization of.—For Employees of the House.**

It is not in order to provide on an appropriation bill for payments to employees of the House unless the House by prior action has authorized the same. Volume **IV**, sections **3654**, **3655**.

The recommendation of a committee of the House is not authorization sufficient to justify appropriations for House employees on the deficiency bill. Volume **IV**, sections **3661–3663**.

The House in appropriating for an employee may not go beyond the terms of the resolution creating the office. Volume **IV**, section **3659**.

A resolution by a preceding House, authorizing an employee of the House, was held to justify an appropriation for a salary. Volume **IV**, section **3660**.

The House having passed a resolution from the Committee on Accounts authorizing the employment of a person, a provision for the salary is in order on an appropriation bill. Volume **IV**, section **3656**.

The House having passed a resolution from the Committee on Accounts authorizing the employment of a person, a provision for the salary is in order on an appropriation bill, but such provision shall conform with the provisions of the resolution. Volume **VII**, section **1313**.

The House having passed a resolution from the Committee on Accounts directing the Committee on Appropriations to provide for paying a certain sum to a certain employee, an amendment to effect this purpose was held in order on an appropriation bill. Volume **IV**, sections **3657**, **3658**.

Extra services of employees are properly compensation under authority of a resolution agreed to by the House. Volume **V**, section **7238**.

An appropriation to give employees of the House a month's pay in addition to the annual salary is not in order on an appropriation bill. Volume **VII**, section **1310**.

Action by the House authorizing Members to appear in court in connection with their official duties construed to imply authorization for employment of counsel to represent them. Volume **VII**, section **1311**.

The House having passed a resolution authorizing Members to appear in court in official capacity, a provision for salary of counsel to represent them on that occasion is in order on an appropriation bill. Volume **VII**, section **1312**.

(9) Authorization of.—Contingent Expenses.

An amendment authorizing payment of telegraph tolls from the contingent fund was held to constitute legislation. Volume **VII**, section **1412**.

The organic law creating a department authorizes necessary contingent expenses incident to its maintenance. Volume **VII**, section **1273**.

Statutory authorization for maintenance of a governmental service authorizes essential expenses incident thereto. Volume **VII**, section **1235**.

Appropriations for typewriters, filing cases, and other essential equipment for an office authorized by law are in order on an appropriation bill. Volume **VII**, section **1194**.

The law creating a governmental agency and defining its duties impliedly authorizes an appropriation for maintenance, including allowances for automobiles, and in the absence of statutory limitation any amount may be appropriated. Volume **VII**, section **1193**.

The law creating a governmental agency was held to be sufficient authorization for purchase of periodicals, maps, and books of reference essential to the discharge of its legitimate functions. Volume **VII**, section **1656**.

An appropriation for "miscellaneous supplies and expenses" was held to be authorized by the organic law of the Department of Agriculture. Volume **VII**, section **1167**.

The maintenance of students and attachés was held not to be necessary incidental departmental expense and therefore unauthorized by the organic act creating the department. Volume **VII**, section **1275**.

APPROPRIATIONS—Continued.**(9) Authorization of—Contingent Expenses—Continued.**

An appropriation for contingent expenses and unforeseen emergencies was held to be in order on an appropriation bill. Volume **VII**, section **1241**.

The committee, overruling the Chairman, decided that an appropriation for packing boxes was authorized by law. Volume **VII**, section **1230**.

An appropriation for telegraph and telephone tolls on business pertaining to the Indian Service was held to be in order on an appropriation bill. Volume **VII**, section **1214**.

Appropriations for equipment and materials essential to the convenient and efficient conduct of public business by the House or Senate are in order on an appropriation bill. Volume **VII**, section **1230**.

An appropriation for hire of vessels in Asiatic waters was held to be in order on an appropriation bill as an incidental expense to maintenance of an authorized service. Volume **VII**, section **1237**.

(10) Authorization of.—For Buildings, Purchase of Land, etc.

While it is in order on an appropriation bill to provide for the repair of a building, it is not in order to provide for a new building in place of one destroyed. Volume **IV**, section **3606**.

A provision of establishing a plant for the manufacture of powder was held not in order on an appropriation bill. Volume **IV**, section **3605**.

Proposition for acquisition of sites and buildings for embassies in foreign countries are not in order on the consular and diplomatic appropriation bill. Volume **IV**, sections **3606–3608**.

A proposition to pave city streets adjacent to a public building was held to be without authority of law. Volume **IV**, sections **3779–3781**.

The purchase of sites and erection of buildings for the Weather Bureau not being authorized by prior legislation an appropriation therefor is not in order on the Agricultural appropriation bill. Volume **IV**, sections **3753, 3754**.

The erection of a new dormitory building to replace an old one was held not to be in continuation of public work already in progress. Volume **VII**, section **1216**.

While estimates by Secretary of State of appropriations for acquisition of sites and buildings for diplomatic and consular establishments are provided for by law, the submission of such estimate is not a condition precedent to appropriation by Congress, and an appropriation for which no estimate had been made was held to be in order on an appropriation bill. Volume **VII**, section **1255**.

An appropriation for the purchase of lands authorized upon contingency was held to be in order prior to development of such contingency upon the ground that it was a condition precedent to the purchase and not to the appropriation. Volume **VII**, section **1169**.

The authorization carried by an act providing an appropriation for the purchase of forest land was held not to have been terminated by the expiration of the original appropriation. Volume **VII**, section **1171**.

The authorization carried by an act providing an appropriation for the purchase of forest land was held not to have been terminated by the expiration of the original appropriation. Volume **VII**, section **1171**.

An appropriation of land for aviation purposes was held to be authorized by law. Volume **VII**, section **1278**.

The maintenance of any physical property of the Government is in order as a continuation of a public work in progress, and express legislative authorization is unnecessary. Volume **VII**, section **1369**.

The statute prohibiting purchase of land except by authority of law was held not to apply to a purchase of land for aviation stations, such purchase being authorized by law. Volume **VII**, section **1272**.

The enactment establishing an institution was held not to authorize construction of a new building therein. Volume **VII**, section **1267**.

APPROPRIATIONS—Continued.**(10) Authorization of.—For Buildings, Purchase of Land, etc.—Continued.**

Law limiting the labor of inmates to duties necessary for the construction and maintenance of an institution was held not to authorize an appropriation for construction of additional buildings for the institution. Volume **VII**, section **1267**.

An appropriation for hire of quarters for naval personnel when otherwise unobtainable was held to be in order on an appropriation bill. Volume **VII**, section **1244**.

Authorization for enlargement, extension, improvement, and repair of buildings and grounds was held not to authorize a new building. Volume **VII**, section **1216**.

The reappropriation of an unexpended balance for acquisition of land for aviation stations was held to be authorized by law. Volume **VII**, section **1272**.

(11) Authorization of.—Various Independent Agencies and Commissions.

An appropriation for completing governmental activities undertaken during the war under the food control act was held in order on an appropriation bill. Volume **VII**, section **1151**.

An appropriation for the expenses of the California Débris Commission was held to be authorized by law. Volume **VII**, section **1279**.

An appropriation of certain revenues of the Shipping Board in direct violation of existing law requiring such moneys to be covered into the Treasury was held not in order on a general appropriation bill. Volume **VII**, section **1132**.

Provision by law for appointment of an international commission with appropriation for its maintenance for the fiscal year was held not to authorize appropriations for subsequent years. Volume **VII**, section **1254**.

Ratification by law of appointment of delegates to a convention was not construed to authorize appropriations for expenses of an international commission organized by the convention. Volume **VII**, section **1247**.

A statute prohibits payment of the compensation or expenses of any board, commission, or similar body from funds appropriated by Congress unless the creation of such body shall have been authorized by law. Volume **VII**, section **1149**.

The expenditure of an appropriation for expenses provided in an act creating a permanent commission was construed not terminate the operation of the act, and a further appropriation for maintenance of the commission was held to be in order on an appropriation bill. Volume **VII**, section **1279**.

(12) Authorization of.—Diplomatic Service.

An appropriation for loss on bills of exchange to and from embassies and legations was held to be in order on an appropriation bill. Volume **VII**, section **1250**.

The President, at will, may raise a legation to an embassy or reduce an embassy to a legation, any statute, to the contrary notwithstanding, and where the President has made such change and followed it with an appointment which has been approved by the Senate, an appropriation for the salary of the appointee is in order unless the rate of pay is in convention in law. Volume **VII**, section **1248**.

Where a statute authorizes a diplomatic mission to designated government it is in order to appropriate for the salary of diplomatic officers thereto prior to their appointment by the President. Volume **VII**, section **1248**.

In the absence of an actual appointment by the President, or of confirmation of such appointment by the Senate, an appropriation for the salary of a minister to a country to which a statute authorizes the appointment of an ambassador is subject to a point of order. Volume **VII**, section **1248**.

Hire of a steam launch was held to be a necessary expense incident to maintenance of embassy at Constantinople an appropriation therefor was admitted on an appropriation bill. Volume **VII**, section **1253**.

While estimates by Secretary of State of appropriations for acquisition of sites and buildings for diplomatic and consular establishments are provided for by law, the submission of such estimate is not a condition precedent to appropriation by Congress, and an appro-

APPROPRIATIONS—Continued.**(12) Authorization of.—Diplomatic Service—Continued.**

priation for which no estimate had been made was held to be in order on an appropriation bill Volume **VII**, section **1255**.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII**, section **1248**.

(13) Authorization of.—Indians.

The authority of the Government to exercise control over the Indian tribes authorizes an appropriation for employment of counsel to represent their interests in litigation. Volume **VII**, section **1206**.

An appropriation for the support and education of Indians in a Government school was held to be in order on an appropriation bill. Volume **VII**, section **1207**.

A statute authorizing the President, within his discretion, to order survey of agricultural lands was held not to authorize a survey by the Interior Department of certain Indian lands. Volume **VII**, section **1208**.

It being provided by statute that funds derived from sale of timber on Indian lands be expended only after approval by Congress of estimates submitted by the Executive, submission of such estimates for approval was held to authorize corresponding appropriations from these funds. Volume **VII**, section **1209**.

An appropriation for suppression of liquor traffic among Indians was held to be authorized by law. Volume **VII**, section **1210**.

An appropriation for expenses incurred in suits to determine the rights of Indians was held to be in order in an appropriation bill. Volume **VII**, section **1211**.

Appropriations for the improvement of an Indian reservation were held to be authorized if for construction of roads within the reservation, and unauthorized if for construction of roads beyond the reservation. Volume **VII**, section **1221**.

Authorization to appropriate for relief of distress among Indians in general was held to warrant an appropriation for certain designated Indians. Volume **VII**, section **1219**.

An appropriation for pay of Indian police was held to be unauthorized by law. Volume **VII**, section **1215**.

A summary of authorizations of appropriations for the Indian Service. Volume **VII**, section **1215**.

An appropriation for telegraph and telephone tolls on business pertaining to the Indian Service was held to be in order on an appropriation bill. Volume **VII**, section **1214**.

An appropriation for support and education of Indian pupils at Government schools was held to be in order on an appropriation bill. Volume **VII**, section **1213**.

(14) Authorization of.—Automobiles, Other Vehicles and Travel, Generally.

Hire of a steam launch was held to be a necessary expense incident to maintenance of an embassy at Constantinople, and an appropriation therefor was admitted on an appropriation bill. Volume **VII**, section **1253**.

An appropriation for transportation and subsistence of diplomatic and consular officers en route to and from their posts was held to be in order on an appropriation bill. Volume **VII**, section **1252**.

An appropriation for the maintenance of motor cycles belonging to the Government was held to be authorized by law. Volume **VII**, section **1177**.

A system of inspection being provided for by law it was held in order to appropriate for inspectors and motor cycles for their official use. Volume **VII**, section **1184**.

The law prohibiting purchase of vehicles from appropriations for executive departments without specific authority is merely a limitation on administrative officers and does not support a point of order against items in an appropriation bill. Volume **VII**, section **1126**.

APPROPRIATIONS—Continued.**(14) Authorization of.—Automobiles, Other Vehicles and Travel, Generally—Continued.**

Payment of cash in lieu of transportation for naval personnel is not authorized by statute and an appropriation for that purpose is not in order on an appropriation bill. Volume **VII**, section **1130**.

An appropriation for an automobile, however necessary to the efficient and economical performance of authorized official duties is not in order on an appropriation bill unless specifically authorized by law. Volume **VII**, section **1178**.

The law creating a governmental agency and defining its duties impliedly authorizes an appropriation for maintenance, including allowances for automobiles, and in the absence of statutory limitation any amount may be appropriated. Volume **VII**, section **1193**.

Appropriations for expenses of officers or employees of the United States or of the District of Columbia in attending conventions of societies or associations in connection with their official duties are in order on an appropriation bill. Volume **VII**, section **1201**.

An appropriation for traveling expenses of the President, within the prescribed statutory limit, is authorized by law. Volume **VII**, section **1196**.

An appropriation for the transportation of officers of the United States Court for China was held to be authorized by the organic act creating the court. Volume **VII**, section **1251**.

Appropriations for hire of automobiles, hire of launches, and rent of offices outside of navy yards were held incidental to the maintenance of the Naval Establishment and therefore in order on an appropriation bill. Volume **VII**, section **1245**.

While allocation of funds for maintenance and operation of automobiles was held to be in order on an appropriation bill, an appropriation for their purchase was held subject to a point of order. Volume **VII**, section **1467**.

(15) Authorization of.—Forests, Roads, Parks, and Schools.

An appropriation for fire protection of forested watersheds of navigable streams, in cooperation with a State, was held to be authorized by existing law. Volume **VII**, section **1170**.

An appropriation for feeding elk in national parks was held to be authorized by law and to constitute a deficiency and to be in order on an appropriation bill. Volume **VII**, section **1175**.

An appropriation for the construction of national-park and national-monument roads including necessary bridges was held to be sanctioned by law. Volume **VII**, section **1218**.

An appropriation for increased cost in park maintenance was held to be in order on an appropriation bill. Volume **VII**, section **1181**.

Appropriations for the support of Howard University are not authorized by law. Volume **VII**, section **1225**.

An appropriation for the maintenance of a private educational institution unauthorized by law was held not to be in order on an appropriation bill. Volume **VII**, section **1225**.

An appropriation for expenses of the General Staff College was held to be in order on an appropriation bill. Volume **VII**, section **1280**.

An appropriation for Army service schools was held to be authorized by law. Volume **VII**, section **1281**.

An appropriation for maintenance in cooperation with the War Department of an air patrol for fire prevention in national forests was held to be authorized by law. Volume **VIII**, section **1168**.

An appropriation for opening, widening, or extending streets and highways in the District of Columbia was held to be authorized by law. Volume **VII**, section **1189**.

An appropriation to be paid from the District revenues for maintenance of bathing beaches in the District of Columbia was held to be authorized by law. Volume **VII**, section **1186**.

An appropriation for payment of damage to lands and crops incurred in condemning right of way for irrigation projects was held to be authorized by law. Volume **VII**, section **1217**.

APPROPRIATIONS—Continued.**(15) Authorization of.—Forests, Roads, Parks, and Schools—Continued.**

Decisions on authorization of appropriations for the promotion of rifle practice. Volume **VII**, section **1285**.

A change in the name of an institution from that carried in the law authorizing appropriation for its maintenance was held not to vitiate such authorization where identity of the institution was not thereby obscured. Volume **VII**, section **1280**.

A provision prescribing method of appointing instructors in Army schools constitutes legislation and is not in order on an appropriation bill. Volume **VII**, section **1281**.

(16) Authorization of.—For General Works.

While the fortifications appropriations bill carries general appropriations for a plan of work in progress, specific appropriations for individual works not authorized by law and not in progress are not in order thereon. Volume **IV**, sections **3611**, **3612**.

A provision on an appropriation bill appropriating the receipts of a Government telegraph system to extensions of the same was held out of order. Volume **IV**, section **3601**.

The law authorizing the Geological Survey to examine the mineral resources and products of the national domain was held to justify an appropriation for investigating structural materials. Volume **IV**, section **3613**.

An appropriation for the construction for Government surveys of maps of a foreign coast was held not to be in order on an appropriation bill. Volume **IV**, section **3614**.

A proposition to appropriate for furnishing a Territorial capitol was held to be out of order on an appropriation bill. Volume **IV**, section **3616**.

An amendment authorizing the purchase of a special device for transporting the mails was held not to be in order on the Post-Office appropriation bill. Volume **IV**, section **3618**.

An appropriation for relief of the native inhabitants of Alaska was held to be unauthorized by law. Volume **IV**, section **3617**.

A proposition to pay the traveling expenses of the President of the United States by a paragraph in an appropriation bill was held to be unauthorized by law. Volume **IV**, section **3610**.

An appropriation for free evening lectures in the school buildings of the District of Columbia was held to be without authorization of law and not in continuation of the public work of education. Volume **IV**, section **3789**.

Propositions to appropriate for the beginning of “necessary and special facilities” for railroad transportation of mail have been ruled out as not authorized by existing law. Volume **IV**, sections **3602**, **3603**.

An appropriation of the surplus of the water fund of the District of Columbia for the extension of the water system was held to be authorized by law and in order on an appropriation bill. Volume **IV**, section **3600**.

An appropriation for the construction of national-park and national-monument roads including necessary bridges was held to be sanctioned by law. Volume **VII**, section **1218**.

An appropriation for “other needed work and improvement” was held to be sanctioned by law authorizing the service for which proposed. Volume **VII**, section **1266**.

(17) Authorization of.—For Payment of Claims.

Propositions to pay private claims against the Government (except judgments of the courts or audited claims) are not in order on general appropriation bills. Volume **IV**, sections **3619–3624**, **3802**.

It is in order on the deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in accordance with the law. Volume **IV**, sections **3641**, **3642**.

It is in order to provide on an appropriation bill as a deficiency for the payment of a claim audited under authority of law. Volume **IV**, sections **3634**, **3635**.

It is in order to provide on an appropriation bill as a deficiency for the payment of an account audited under authority of law, but it is not in order to provide for such auditing. Volume **IV**, sections **3636**, **3637**.

APPROPRIATIONS—Continued.**(17) Authorization of.—For Payment of Claims—Continued.**

The Comptroller having ascertained the amount of a claim on appeal, on appropriation bill may not carry a larger amount found by the auditor who has been overruled. Volume **IV**, section **3638**.

It is not in order to appropriate on the deficiency bill for an unadjudicated claim, even though it be transmitted to the House by an Executive message. Volume **IV**, section **3628**.

The payment of an unadjudicated claim, even though the amount be ascertained and transmitted by the head of an Executive Department, is not in order on the deficiency bill. Volume **IV**, sections **3625–3627**.

The fact that a department officer has reported on a claim in accordance with a direction of law does not thereby make an audited claim for which provision may be made in an appropriation bill. Volume **IV**, sections **3632, 3639, 3640**. Volume **VII**, section **1288**.

Appropriations for payment of claims, even such as have been investigated and reported on by officer of the Government, are not in order on a general appropriation bill. Volume **IV**, sections **3629–3631**.

A proposition to pay a claim reported on favorably by a board of officers is not in order on the deficiency bill unless the expenditure for the object has been authorized by law. Volume **IV**, section **3633**.

Findings filed by the court under the Bowman Act do not constitute such adjudications of claims as justify appropriation in the general deficiency appropriation bill. Volume **IV**, section **3643**.

It is in order on a deficiency appropriation bill to appropriate in payment of a contract lawfully made. Volume **IV**, sections **3645, 3646**.

An appropriation for balance due under an authorized contract was held to be in order on a deficiency appropriation bill although the item had not been audited. Volume **VII**, section **1293**.

While it is in order to appropriate for payment of judgments of the courts certified to Congress in accordance with law, mere findings of fact by the Court of Claims were held not to authorize an appropriation. Volume **VII**, section **1292**.

It is in order on a deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in the form of a public document transmitted to the Speaker by the Executive, but not otherwise and a mere certified copy of a mandate of the Supreme Court of the United States transmitted informally was held not to justify an appropriation in an appropriation bill. Volume **VII**, section **1291**.

An appropriation to refund amounts erroneously collected from corporations and covered into the Treasury is not in order unless authorized by specific law. Volume **VII**, section **1290**.

A proposition to pay an unliquidated claim against the Government is not in order on an appropriation bill. Volume **VII**, section **1289**.

An appropriation for payment of damage to lands and crops incurred in condemning right of way for irrigation projects was held to be authorized by law. Volume **VII**, section **1217**.

An appropriation to reimburse officials for services and expenses, however valid, is an appropriation for a private claim and is not in order on an appropriation bill. Volume **VII**, section **1184**.

Appropriations for claims arising out of the operation of the merchant marine during the war were held to be authorized by the merchant marine act of 1920. Volume **VII**, section **1162**.

The payment of a claim for unliquidated damages is unauthorized by law and not in order on an appropriation bill. Volume **VII**, section **1287**.

(18) Authorization of.—Reappropriations.

The reappropriation of an unexpended balance for an object by law may be made on an appropriation bill. Volume **IV**, sections **3591, 3592**. Volume **VII**, sections **1153, 1253**.

APPROPRIATIONS—Continued.**(18) Authorization of.—Reappropriation.—Continued.**

The reappropriation of a sum required by law to be covered into the Treasury was held not to be a change of law. Volume **IV**, section **3593**. Volume **VII**, sections **1152, 1162**.

A provision returning an unexpended balance to the Treasury was held to be in order on an appropriation bill. Volume **IV**, section **3594**.

A proposition which would be in order if provided through a new appropriation is in order if provided from an unexpended balance. Volume **VII**, section **1154**.

While it is in order to provide for the reappropriation of unexpended balance in an appropriation bill, sums previously appropriated for a specific purpose may not be reappropriated for a purpose unauthorized by law. Volume **VII**, section **1157**.

The reappropriation of unexpended balances, even for another lawful purpose than that for which originally appropriated, is in order on a appropriation bill. Volume **VII**, section **1155**.

The reappropriation of an unexpended balance for acquisition of land for aviation stations was held to be authorized by law. Volume **VII**, section **1272**.

(19) Authorization of.—Limits of Costs, etc.

It is not in order to propose on an appropriation bill an expenditure prohibited by law. Volume **IV**, section **3580**.

The law having fixed the limit of cost of buildings at army posts, an appropriation in excess of that limit is a change of law. Volume **IV**, section **3583**.

An appropriation for a public building in excess of the limit of cost fixed by law is not in order on an appropriation bill. Volume **IV**, section **3584**. Volume **VII**, section **1133**.

The policy of making no more appropriations for sectarian schools having been declared by law, an amendment authorizing appropriations for contract schools was held to involve a change of law. Volume **IV**, section **3582**.

An appropriation for the improvement of the Yosemite National Park was held not in order on a general appropriation bill, existing law declaring the expenditures not authorized. Volume **IV**, section **3581**.

The number of enlisted men in the Marine Corps being fixed it was held not in order to provide for additional ones on an appropriation bill. Volume **IV**, section **3585**.

When the law limits appropriations to two years, a provision that an appropriation shall remain available until expended is in violation of existing law. Volume **IV**, section **3716**.

The mere appropriation of a sum "to complete" a work does not fix a limit of cost to exclude future appropriations for a public building on a general appropriation bill. Volume **IV**, section **3761**.

An appropriation in violation of existing law is not in order for the continuance of a public work. Volume **IV**, section **3702**.

The law having specified the details of the Government exhibit at an exposition, an appropriation for a new object was held not in order in a general appropriation bill. Volume **IV**, section **3599**.

An appropriation for carrying on a service beyond the limits assigned by an executive officer exercising a lawful discretion was held not to be authorized by existing law. Volume **IV**, section **3598**.

Although the Indian appropriation bill provided sums of money for general irrigation purposes, an appropriation for a specific work of use to others as well as to Indians was held not in order. Volume **IV**, section **3783**.

While a proposition to change a limit of cost is legislation, any provision of cost within that limit is not subject to that point of order. Volume **VII**, section **1448**.

An appropriation to continue work authorized by current law beyond the time of that authorization was ruled out of order on an appropriation bill. Volume **VIII**, section **1346**.

An appropriation for completion of a project previously authorized by law without limitation of cost was admitted as in continuation of a work. Volume **VII**, section **1388**.

APPROPRIATIONS—Continued.**(19) Authorization of.—Limits of Costs, etc.—Continued.**

A statute authorizes changes in the limit of cost of public buildings in accordance with estimates submitted by the Bureau of the Budget. Volume **VII**, section **1450**.

(20) Authorization of.—For Investigations in the Department of Agriculture.

Because of the requirements of law appropriations for investigations on subjects connected with agriculture are generally in order on the agricultural appropriation bill. Volume **IV**, section **3649**.

While the statute authorizing the Secretary of Agriculture to make investigation of subjects relating to agriculture is held to justify a broad line of appropriation, yet it does not justify appropriations for general investigations. Volume **IV**, section **3652**.

A provision to appropriate for compiling tests of dairy cows at an exposition was held not to be authorized as an expenditure by the general law giving to the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **IV**, section **3653**.

While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized on the agricultural appropriation bill, it is not in order to require cooperation of State experiment stations therein. Volume **IV**, section **3650**.

While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized under the organic law creating the Department of Agriculture, it is not in order to require cooperation of States, companies, or individuals therein. Volume **VII**, section **1301**.

While an appropriation for an investigation on a subject relating to agriculture is in order on the agricultural appropriation bill, it is not in order to appropriate for the organization of a bureau to make such investigation. Volume **IV**, section **3651**.

The investigation of foods in their relation to commerce and consumption was held not authorized by law in such a way as to permit appropriation on the agricultural appropriation bill. Volume **IV**, sections **3647**, **3648**. Volume **VII**, section **1298**.

A Department being created for the declared purpose of investigation, an appropriation for the instrumentalities of such investigation was held to be within the rule. Volume **IV**, section **3615**.

The Committee of the Whole, overruling its chairman, decided that a provision for the purchase and distribution of rare and valuable seeds was in order on the Agricultural appropriation bill. Volume **IV**, section **3895**.

An appropriation for control of the European corn borer was held to be authorized by the organic act establishing the Department of Agriculture. Volume **VII**, section **1309**.

An appropriation for collection of market statistics on agricultural products was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1304**.

A proposition to appropriate for demonstrating processes of manufacturing denatured alcohol at an exposition was held not to be authorized by general law giving the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **VII**, section **1295**.

An appropriation providing for the daily issue of a price list reporting prices of farm products received by producers was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1305**.

The broad powers of investigation conferred by the organic act creating the Department of Agriculture were held to authorize an investigation to determine possible sources of mineral fertilizers. Volume **VII**, section **1299**.

An appropriation for experiments and demonstrations in livestock production was held to be authorized by the organic law creating the Department of Agriculture. Volume **VII**, section **1129**.

APPROPRIATIONS—Continued.**(20) Authorization of.—For Investigation in the Department of Agriculture—Continued.**

While an appropriation for investigation of road materials was held not to be authorized under the organic act creating the Department of Agriculture, because not devoted exclusively to agricultural purposes, an appropriation for investigation of irrigation was held to come within the law and to be in order on an appropriation bill. Volume **VII**, section **1307**.

Contravening a former ruling, an appropriation for drainage investigations was held in order on the agricultural appropriation bill. Volume **VII**, section **1318**.

Recent decisions hold an appropriation to investigate the drainage of wet lands not to be authorized by law. Volume **VII**, section **1297**.

An appropriation for investigating sources of raw materials for making paper was held not to be authorized by the provision of the organic law creating the Department of Agriculture. Volume **VII**, section **1296**.

While the organic act creating the Department of Agriculture was held to authorize an appropriation for maintenance of a highway weather service, it was ruled to justify an appropriation for collection of data as to the effects of weather on such highways. Volume **VII**, section **1308**.

While the organic law creating the Department of Agriculture confers broad powers of investigation, it does not authorize investigations abroad. Volume **VII**, section **1303**.

The authorization to conduct investigation conferred by the organic law establishing the Department of Agriculture does not extend to investigation conducted by other departments in connection with the Department of Agriculture. Volume **VII**, section **1294**.

An appropriation for investigation of road materials was held to be unauthorized by law. Volume **VII**, section **1306**.

An appropriation for investigation of foods in their relation to commerce and consumption is not so authorized by law as to sanction an appropriation on an appropriation bill. Volume **VII**, section **1298**.

(21) Authorization of.—Scientific Research, Generally.

Continuation of a scientific investigation by a department of the Government was held not to constitute a work in progress and to be unauthorized by law. Volume **VII**, section **1345**.

An appropriation for investigation of infant mortality and dangerous occupations was held to be authorized by law. Volume **VII**, section **1262**.

An appropriation for investigations in cooperation with industries of problems in industrial development was held to be authorized by the organic law creating the Bureau of Standards. Volume **VII**, section **1260**.

An appropriation for examination of mineral resources and products of the national domain was held to be authorized by law. Volume **VII**, section **1222**.

The organic law creating the Bureau of Mines, while general in character, was construed as applying to the United States only, and authorization conferred to investigate structural materials and fuels is limited to those within the States and does not exceed to those of Alaska. Volume **VII**, section **1224**.

An appropriation for experiments by the Bureau of Ordnance, while not specifically authorized by statute, was held to be in order on an appropriation bill. Volume **VII**, section **1243**.

An appropriation for investigation of foods in their relation to commerce and consumption is not so authorized by law as to sanction an appropriation on an appropriation bill. Volume **VII**, section **1298**.

A proposition to appropriate for demonstrating processes of manufacturing denatured alcohol at an exposition was held to be authorized by general law giving the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **VII**, section **1295**.

APPROPRIATIONS—Continued.**(22) Authorization of.—By Implication.**

The concurrent resolution creating a joint committee authorized to arrange for the quadrennial inauguration ceremonies is considered sufficient authorization for the necessary appropriations for that purpose. Volume **VI**, section **452**.

A provision in permanent law authorizing establishment of rifle open to “all able-bodied males capable of bearing arms” authorizes an appropriation for “transportation of instructors of employees and civilians engaged in target practice.” Volume **VII**, section **1276**.

An appropriation for machinery required for repair and maintenance of sewers was held to be in order on an appropriation bill. Volume **VII**, section **1195**.

The existence of a fort used in the Government service is sufficient authorization for an appropriation for its protection and preservation. Volume **VII**, section **1369**.

An appropriation to encourage breeding of horses for the Army was held to be in order under the law authorizing appropriations for purchase of Army horses. Volume **VII**, section **1284**.

A provision in a general appropriation bill authorizing the expenditure of money therein appropriated for the protection of the naval petroleum reserve was held to be authorized by the holding statute. Volume **VII**, section **1246**.

An appropriation for recreation of enlisted men, although without specific statutory authorization, was held to be in order on an appropriation bill as necessary to the efficient maintenance of naval operations. Volume **VII**, section **1240**.

Statutory direction to establish a naval station was construed as authorizing the paving of streets and erection of warehouses as incidental thereto. Volume **VII**, section **1232**.

An appropriation for purchase of vessels generally for the Lighthouse Service was held not to be authorized by statutory provision for purchase of a specified class of vessels for the Lighthouse Service. Volume **VII**, section **1258**.

Authorization for an appropriation to be dispensed by the Executive was held to warrant an appropriation to be jointly dispensed by the Executive and State officials. Volume **VII**, section **1220**.

The law empowering the Commissioners of the District of Columbia to make building regulations was held to authorize the appointment of building inspectors. Volume **VII**, section **1191**.

A change in the name of an institution from that carried in the law authorizing appropriation for its maintenance was held not to vitiate such authorization where identity of the institution was not thereby obscured. Volume **VII**, section **1280**.

A law establishing a definite policy was held to authorize appropriations for agents to carry out such policy and instrumentalities promoting the efficiency of those agents. Volume **VII**, section **1184**.

Where the organic act creating a department provides for certain definite activities it is in order on a general appropriation bill to appropriate for such activities. Volume **VII**, section **1262**.

The general statement of purpose for which a department is established, as set forth in the organic act creating it, is not to be construed as authorization for appropriations not specifically provided for in succeeding sections of the act providing for bureaus designated to carry out the declaration of purpose. Volume **VII**, section **1264**.

An appropriation for the distribution of proceedings of the World's Dairy Congress was held to be authorized by the provision for the dissemination of knowledge in the law creating the Department of Agriculture. Volume **VII**, section **1174**.

A treaty establishing an international institute authorizes an appropriation in a general appropriation bill for sending delegates to the institute. Volume **VII**, section **1138**.

The right granted by treaty and supplemental legislation to maintain civil government in the Canal Zone was held to authorize appropriations in general appropriation bills for such maintenance. Volume **VII**, section **1134**.

APPROPRIATIONS—Continued.**(22) Authorization of.—By Implication—Continued.**

An appropriation for the establishment of shooting ranges and the purchase of prizes and trophies was held not to be in order on an appropriation bill. Volume **VII**, section **1242**.

The expenditure of an appropriation for expenses provided in an act creating a permanent commission was construed not to terminate the operation of the act, and a further appropriation for maintenance of the commission was held to be in order on an appropriation bill. Volume **VII**, section **1279**.

An appropriation for hire of vessels in Asiatic waters was held to be in order on an appropriation bill as an incidental expense to maintenance of an authorized service. Volume **VII**, section **1237**.

Appropriations for equipment and materials essential to be convenient and efficient conduct of public business by the House or Senate are in order on an appropriation bill. Volume **VII**, section **1230**.

A law providing for establishment of specific regulations authorizes appointment of agents to enforce such regulations, and in the absence of legislative limitation on the number to be appointed, an appropriation for any number is in order on an appropriation bill. Volume **VII**, section **1191**.

Authorization to appropriate for relief of distress among Indians in general was held to warrant an appropriation for certain designated Indians. Volume **VII**, section **1219**.

(23) Authorization of.—Not in Order by Implication.

Authorization for the erection of a memorial without expense to the United States was construed not to authorize an appropriation for maintenance of the memorial when erected. Volume **VII**, section **1180**.

A provision of law authorizing Commissioners of the District of Columbia to take over and operate fish wharves was held not to authorize an appropriation to reconstruct such wharves. Volume **VII**, section **1187**.

Authorization of law for use of public-school buildings as social and recreational centers does not warrant appropriations for such purposes. Volume **VII**, section **1188**.

A declaration of policy embodied in a statute was held not to authorize appropriations for purposes germane to the policy but not specifically authorized by the act. Volume **VII**, section **1200**.

Law authorizing designated parties to take certain action as construed as not authorizing an appropriation to compensate the Government for expenditures in taking such action. Volume **VII**, section **1202**.

Authorization for Indians to lease their lands was held not to authorize an appropriation to enable the Government to lease the same lands. Volume **VII**, section **1202**.

A law permitting Indians to remove timber from reservations does not authorize an appropriation for that purpose. Volume **VII**, section **1204**.

A law authorizing operations by other than governmental agencies and without expense to the Government was held not to authorize an appropriation for such operations. Volume **VII**, section **1204**.

While requisite publications of bureaus are authorized by law a provision for a specified bureau publication was held not to be in order on an appropriation bill. Volume **VII**, section **1228**.

The law authorizing regulations for examination of midshipmen was held not to sanction an appropriation for transportation of successful candidates to the academy. Volume **VII**, section **1234**.

Authorization of an appropriation for an investigation is not construed to include authorization of an appropriation for demonstrating results of such investigation. Volume **VII**, section **1259**.

Statements of purpose embodied in the organic act creating the Department of Labor were held not to authorize appropriations for establishment of an employment of an employment service. Volume **VII**, section **1265**.

APPROPRIATIONS—Continues.**(23) Authorization of.—Not in Order by Implication—Continued.**

A statute imposing certain duties on a departmental executive was held not to authorize an appropriation to enable the President to discharge such duties. Volume **VII**, section **12486**.

Mere authority conferred by law to issue passports was held not to authorize creation of a bureau for that purpose. Volume **VII**, section **1249**.

A statute authorizing certain bureau work in the United States was held not to authorize an extension of that work to the Territory of Alaska. Volume **VII**, section **1224**.

The general statement of purpose for which a department is established, as set forth in the organic act creating it, is not to be construed as authorization for appropriations not specifically provided for in succeeding sections of the act providing for bureaus designated to carry out the declaration of purpose. Volume **VII**, section **1264**.

The enactment establishing an institution was held not to authorize construction of a new building therein. Volume **VII**, section **1267**.

An appropriation for advertisements for naval recruits was held to be unauthorized and therefore not in order on an appropriation bill. Volume **VII**, section **1233**.

Unless specifically authorized by treaty obligations or statutory provision, any appropriation for support or civilization of Indians is within the rule and is not in order in an appropriation bill. Volume **VII**, section **1205**.

Statutory authorization for support of designated Indian tribes does not authorize appropriations for other Indians, even when formerly members of the tribes enumerated. Volume **VII**, section **1205**.

An appropriation for a specific method of transmitting mail, in the absence of any prior legislation providing therefor, was held to be subject to a point of order although general transmission of the mail is authorized by law. Volume **VII**, section **1474**.

(24) Authorization of.—General Decisions as to Allowable Expenditures.

The omission to appropriate during a series of years for an object authorized by law does not repeal the law, and consequently an appropriation when proposed is not subject to the point of order. Volume **IV**, section **3595**.

A motion to strike from an appropriation bill a provision for a salary authorized and fixed by law is not subject to the objection that it proposes legislation. Volume **IV**, section **3699**.

A department being created for the declared purpose of investigation an appropriation for the instrumentalities of such investigation was to be within the rule. Volume **IV**, section **3615**.

A proposition that certain specified amounts to be severally appropriated for certain specified objects, should be to a limited extent interchangeable among those several objects, was held to be in order. Volume **IV**, section **3884**.

An appropriation for mileage of Members at a regular session is authorized by law, although mileage may have been appropriated for a preceding special session. Volume **IV**, section **1160**.

The law authorizing the Geological Survey to examine the mineral resources and products of the national domain was held to justify an appropriation for investigating structural materials. Volume **IV**, section **3613**.

A proposition to investigate coal, etc., the property of the United States, and this only, as held to be authorized by the law creating the Geological Survey. Volume **IV**, section **3721**.

An appropriation of the surplus of the water fund of the District off Columbia for the extension of the water system was held to be authorized by law and in order on an appropriation bill. Volume **IV**, section **3600**.

Decisions on authorization of appropriations for the promotion of rifle practice. Volume **VII**, section **1285**.

APPROPRIATIONS—Continued.**(24) Authorization of.—General Decisions as to Allowable Expenditures—Continued.**

An appropriation for boards of inspection was held to be in order on an appropriation bill. Volume **VII**, section **1236**.

Appropriations for payment of expenses incurred in contested-election cases are in order on an appropriation bill when duly certified by Committee on Elections and not otherwise. Volume **VII**, section **1231**.

An appropriation for “collection of information at home and abroad” by the naval service was held to be authorized by law. Volume **VII**, section **1239**.

A proposal authorizing the Secretary of the Navy to expend obligated balances for labor-saving devices was held to be in order on an appropriation bill. Volume **VII**, section **1154**.

An appropriation for extension of a military telegraph system was held to be in order on an appropriation bill. Volume **VII**, section **1282**.

Directions to the Secretary of War to issue stores and material to the National Guard is authorized by law. Volume **VII**, section **1274**.

An appropriation for interest and sinking fund on the funded debt of the District of Columbia to be paid jointly from the Federal Treasury and District revenues is authorized by law. Volume **VII**, section **1183**.

The organic act of the District of Columbia authorizes appropriations for interest on District bonds and a subsequent act authorizes appropriations for sinking fund for their payment. Volume **VII**, section **1182**.

A statute providing that expenditures from a fund be made only on approval by Congress of certain estimates was held to authorize such expenditure on submission of the prescribed estimates. Volume **VII**, section **1209**.

An appropriation for promotion of commerce in the Far East was held to be authorized by organic law establishing the Department of Commerce. Volume **VII**, section **1261**.

An appropriation to be expended in case of emergency only was held to be in order on an appropriation bill. Volume **VII**, section **1192**.

An appropriation for the suppression of the traffic in peyote was held to be in order on an appropriation bill. Volume **VII**, section **1212**.

An appropriation for the administration of the national prohibition law was held to be authorized by law and in order on an appropriation bill. Volume **VIII**, section **3427**.

An appropriation for examination of presidential postmasters was held to be authorized by law. Volume **VII**, section **1198**.

An appropriation for the recovery of valuables from shipwrecks was held to be authorized by law. Volume **VII**, section **1238**.

An appropriation to indemnify owners of animals destroyed by direction of the department in the eradication of tuberculosis was held to be a deficiency and in order on an appropriation bill. Volume **VII**, section **1176**.

The law establishing the Department of Agriculture was held to authorize an appropriation for the purchase and distribution of free seeds. Volume **VII**, section **1166**.

An appropriation for distribution of seeds was held to be in order in an appropriation bill. Volume **VII**, section **1165**.

An appropriation for cooperative agricultural extension work with the States and Territories is authorized by the organic law creating the Department of Agriculture. Volume **VII**, section **1172**.

An appropriation for increased cost in park maintenance was held to be in order on an appropriation bill. Volume **VII**, section **1161**.

An appropriation to be paid from the District revenues for maintenance of bathing beaches in the District of Columbia was held to be authorized by law. Volume **VII**, section **1186**.

A provision in a general appropriation bill authorizing the expenditure of money therein appropriated for the protection of the naval petroleum reserve was held to be authorized by the holding statute. Volume **VII**, section **1246**.

APPROPRIATIONS—Continued.**(24) Authorization of.—General Decisions as to Allowable Expenditures—Continued.**

Provision for the collection and dissemination of information to encourage law enforcement was held not to be in order on an appropriation bill. Volume **VII**, section **1270**.

(25) Authorization of.—General Decisions as to Expenditures Not in Order.

Propositions to appropriate for the beginning of “necessary and special facilities” for railroad transportation of mail have been ruled out as not authorized by existing law. Volume **IV**, sections **3602**, **3603**.

Propositions to create “necessary and special facilities” for transporting the mails on railroads are subject to the point of order that they involve change of existing law. Volume **IV**, section **3804**.

The law having specified the details of the Government exhibit at an exposition, an appropriation for a new object was held not in order in a general appropriation. Volume **IV**, section **3599**.

An appropriation for carrying on a service beyond the limits assigned by an executive officer exercising a lawful discretion was held to be authorized by existing law. Volume **IV**, section **3598**.

A provision for establishing a plant for the manufacture of powder was held not in order on an appropriation bill. Volume **IV**, section **3605**.

While it is in order on an appropriation bill to provide for the repair of a building, it is not in order to provide for a new building in place of one destroyed. Volume **IV**, section **3606**.

Propositions for acquisition of sites and buildings for embassies in foreign countries are not in order on the consular and diplomatic appropriation bill. Volume **IV**, sections **3606–3608**.

Question as to appropriations for incidental and contingent expenses in the consular and diplomatic service. Volume **IV**, section **3609**.

It is not in order on the naval appropriation bill to appropriate for a new foundry not previously authorized by law at a navy-yard. Volume **IV**, section **3761**.

The erection of new buildings for a naval hospital, with an authorization to acquire a new site, was held to involve legislation. Volume **IV**, section **3760**.

While an appropriation for a new army post was held to involve legislation, a general appropriation for the shelter and protection of troops was held to be in order. Volume **IV**, section **5783**.

A proposition to appropriate for furnishing a Territorial capital was held to be out of order on an appropriation bill. Volume **IV**, section **3616**.

An appropriation for relief of the native inhabitants of Alaska was held to be unauthorized by law. Volume **IV**, section **3617**.

A proposition to continue the gauging of streams was held not to be authorized by the legislation creating the Geological Survey. Volume **IV**, sections **3714**, **3715**.

The establishment of a new station under the Fifth Commission was held to be unauthorized by law. Volume **IV**, section **3751**.

The purchase of sites and erection of buildings for the Weather Bureau not being authorized by prior legislation, an appropriation therefor is not in order on the agricultural appropriation bill. Volume **IV**, sections **3753**, **3754**.

While the fortifications appropriation bill carries general appropriations for a plan of work in progress, specific appropriations for individual works not authorized by law and not in progress are not in order thereon. Volume **IV**, sections **3611**, **3612**.

An appropriation for the construction from Government surveys of maps of a foreign coast was held not to be in order on an appropriation bill. Volume **IV**, section **3614**.

A proposition to pay the traveling expenses of the President of the United States by a paragraph in an appropriation bill was held to be unauthorized by law. Volume **IV**, section **3610**.

APPROPRIATIONS—Continued.**(25) Authorization of.—General Decisions as to Expenditures Not in Order—Continued.**

An amendment authorizing the purchase of a special device for transporting the mails was held not to be in order on the post-office appropriation bill. Volume **IV**, section **3618**.

A provision on an appropriation bill appropriating the receipts of a Government telegraph system to extensions of the same was held out of order. Volume **IV**, section **3601**.

The Committee of the Whole, overruling its chairman, decided that a provision for the purchase and distribution of rare and valuable seeds was in order on the agricultural appropriation bill. Volume **IV**, section **3895**.

An appropriation to restrict free kindergarten supplies to indigent children was held to be out of order on an appropriation bill. Volume **VII**, section **1179**.

An appropriation for Americanization work in the District of Columbia was held not to be authorized by law. Volume **VII**, section **1190**.

Statutory authorization for support of designated Indian tribes does not authorize appropriations for other Indians, even when formerly members of the tribes enumerated. Volume **VII**, section **1205**.

Appropriations for the examination of estimates of appropriations in the field by committees or subcommittees of Congress were held not to be authorized by law. Volume **VII**, section **1199**.

Unless specifically authorized by treaty obligations or statutory provision, any appropriation for support or civilization of Indians is within the rule and is not in order on an appropriation bill. Volume **VII**, section **1205**.

An appropriation enabling the President to gather tariff information by appointment of a tariff board was held not to be in order on an appropriation bill. Volume **VII**, section **1197**.

The fact that the Government is to be reimbursed for an unauthorized expenditure does not make it in order on an appropriation bill. Volume **VII**, section **1228**.

An appropriation for publication of the Reclamation Record was held to be unauthorized by law. Volume **VII**, section **1229**.

An appropriation for advertisements for naval recruits was held to be unauthorized and therefore not in order on an appropriation bill. Volume **VII**, section **1233**.

An appropriation for the establishment of shooting ranges and the purchase of prizes and trophies was held not to be in order on an appropriation bill. Volume **VII**, section **1242**.

Appropriations for the annual quota of the United States in support of the International Trade-Mark Bureau and the International Hydrographic Bureau were held not to be authorized by existing law. Volume **VII**, section **1256**.

An appropriation for demonstrating uses of fish as food was held not to be authorized by the organic act creating the Bureau of Fisheries. Volume **VII**, section **1259**.

An appropriation to enable the Secretary of Labor to advance opportunities for profitable employment of wage earners was held not to be in order on an appropriation bill. Volume **VII**, section **1264**.

Provision for the collection and dissemination of information to encourage law enforcement was held not to be in order on an appropriation bill. Volume **VII**, section **1270**.

While the fortifications appropriation bill carried general appropriations for a plan of work in progress, specific appropriations for individual works not authorized by law and not in progress were held not to be in order thereon. Volume **VII**, section **1271**.

An appropriation for purposes not enumerated which an Executive might deem advisable was held to be unauthorized. Volume **VII**, section **1283**.

An appropriation to purchase a site and replace thereon a town in exchange for one flooded by the reservoir or a Government irrigation project was held not to be authorized by law. Volume **VII**, section **1336**.

A proposition to authorize the construction of vessels for the Navy was held to involve legislation. Volume **VII**, section **1440**.

An appropriation for investigation of condition of Indiana was held not to be in order on an appropriation bill. Volume **VII**, section **1205**.

APPROPRIATIONS—Continued.**(26) Authorization of.—In the Agricultural Bill.**

While the organic law establishing a department permits additions to the regular force of employees by classes, the addition of specified employees is not authorized. Volume **VII**, section **1163**.

The term “additional places” as used in the organic act creating the Department of Agriculture authorizes the creatio of new positions and appropriations for salaries of additional clerks to fill them. Volume **VII**, section **1164**.

An appropriation for distribution of seeds was held to be in order in an appropriation bill. Volume **VII**, section **1165**.

The law establishing the Department of Agriculture was held to authorize an appropriation for the purchase and distribution of free seeds. Volume **VII**, section **1166**.

An appropriation for “miscellaneous supplies and expenses” was held to be authorized by the organic law of the Department of Agriculture. Volume **VII**, section **1167**.

An appropriation for maintenance in cooperation with the War Department of an air patrol for fire prevention in national forests was held to be authorized by law. Volume **VII**, section **1168**.

An appropriation for the purchase of lands authorized upon contingency was held to be in order prior to development of such contingency upon the ground that it was a condition precedent to the purchase and not to the appropriation. Volume **VII**, section **1169**.

An appropriation for fire protection for fire protection of forested watersheds of navigable streams, in cooperation with a State, was held to be authorized by existing law. Volume **VII**, section **1170**.

The authorization carried by an act providing an appropriation for the purchase of forest land was held not to have been terminated by the expiration of the original appropriation. Volume **VII**, section **1171**.

An appropriation for cooperative agricultural extension work with the States and Territories is authorized by the organic law creating the Department of Agriculture. Volume **VII**, section **1172**.

An appropriation for the distribution of proceedings of the World's Dairy Congress was held to be authorized by the provision for the dissemination of knowledge in the law creating the Department of Agriculture. Volume **VII**, section **1174**.

Although the purpose for which proposal is sanctioned by the Constitution, an appropriation is not in order on general appropriation bills unless authorized by provision of statutory law. Volume **VII**, section **1197**.

The authorization to conduct investigations conferred by the organic law establishing the Department of Agriculture does not extend to investigations conducted by other departments in connections with the Department of Agriculture. Volume **VII**, section **1294**.

A proposition to appropriate for demonstrating processes of manufacturing denatured alcohol at an exposition was held not to be authorized by general law giving the Secretary of Agriculture authority to acquire and diffuse information pertaining to agriculture. Volume **VII**, section **1295**.

An appropriation for investigating sources of raw materials for making paper was held not to be authorized by the provision of the organic law creating the Department of Agriculture. Volume **VII**, section **1296**.

Recent decisions hold an appropriation to investigate the drainage of wet lands not to be authorized by law. Volume **VII**, section **1297**.

An appropriation for investigation of foods in their relation to commerce and consumption is not so authorized by law as to sanction an appropriation or an appropriation bill. Volume **VII**, section **1298**.

The broad powers of investigation conferred by the organic act creating the Department of Agriculture were held to authorize an investigation to determine possible sources of mineral fertilizers. Volume **VII**, section **1299**.

APPROPRIATIONS—Continued.**(26) Authorization of.—In the Agricultural Bill—Continued.**

- While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized under the organic law creating the Department of Agriculture, it is not in order to require cooperation of States, companies, or individual therein. Volume **VII**, section **1301**.
- While the organic law creating the Department of Agriculture confers broad powers of investigation, it does not authorize investigations abroad. Volume **VII**, section **1303**.
- An appropriation for collection of market statistics on agricultural products was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1304**.
- An appropriation providing for the daily issue of a price list reporting prices of farm products received by producers was held to be authorized by the organic act creating the Department of Agriculture. Volume **VII**, section **1305**.
- An appropriation for investigation of road materials was held to unauthorized by law. Volume **VII**, section **1306**.
- While an appropriation for investigation of road materials was held not be authorized under the organic act creating the Department of Agriculture, because not devoted exclusively to agricultural purposes, an appropriation for investigation of irrigation was held to come within the law and to be in order on an appropriation bill. Volume **VII**, section **1307**.
- While the organic act creating the Department of Agriculture was held to authorize an appropriation for maintenance of a highway weather service, it was ruled not to justify an appropriation for collection of data as to the effects of weather on such highways: Volume **VII**, section **1308**.
- An appropriation for control of the European corn borer was held to be authorized by the organic act establishing the Department of Agriculture. Volume **VII**, section **1309**.
- Construction of the law authorizing the employment of mechanics and laborers and other employees in the executive departments. Volume **VII**, section **1317**.
- The law authorizing the heads of departments to employ such labor as may be appropriated for does not apply to labor not at the seat of government. Volume **VII**, section **1318**.
- Contravening a former ruling, an appropriation for drainage investigations was held in order on the agricultural appropriation bill. Volume **VII**, section **1318**.
- The law authorizing the heads of departments to employ such clerks as may be appropriated for was held to authorize clerkships not otherwise authorized. Volume **VII**, section **1321**.
- A general law authorizing the heads of departments to employ such clerks as may be appropriated for, a provision making appropriation for clerks so employed was held to be in order. Volume **VII**, section **1322**.
- The law creating the Department of Agriculture authorizes appropriations for salaries of employees essential to its proper maintenance without designating the names of positions in which they shall serve, and in the absence of statutory provision to the contrary it is in order in an appropriation bill to name such position or to change the name of any division, bureau, or office previously appropriated for. Volume **VII**, section **1330**.

(27) Authorization of.—In the Deficiency Bills.

- An appropriation for feeding elk in national parks was to be authorized by law and to constitute a deficiency and to be in order on an appropriation bill. Volume **VII**, section **1175**.
- The term "existing law" as related to authorization of deficiency appropriations includes not only permanent statutes but also provisions of supply bills in force for the current year only. Volume **VII**, section **1176**.
- An appropriation to indemnify owners of animals destroyed by direction of the department in the eradication of tuberculosis was held to be a deficiency and in order on an appropriation bill. Volume **VII**, section **1176**.

APPROPRIATIONS—Continued.**(27) Authorization of.—In the Deficiency Bills—Continued.**

The payment of a claim for unliquidated damages is unauthorized by law and not in order on an appropriation bill. Volume **VII**, section **1287**.

A proposition to pay an unliquidated claim against the Government is not in order on an appropriation bill. Volume **VII**, section **1289**.

An appropriation to refund amounts erroneously collected from corporations, and covered into the Treasury is not in order unless authorized by specific law. Volume **VII**, section **1290**.

While it is in order to appropriate for payment of judgments of the courts certified to Congress in accordance with law, mere findings of fact by the Court of Claims were held not to authorize an appropriation. Volume **VII**, section **1292**.

An appropriation for balance due under an authorized contract was held to go in order on a deficiency appropriation bill although the item had not been audited. Volume **VII**, section **1293**.

Payment of per diem allowances in lieu of subsistence due employees of the executive departments is authorized by law. Volume **VII**, section **1329**.

It being provided by statute that funds derived from sale of timber on Indian lands be expended only after approval by Congress of estimates submitted by the Executive, submission of such estimates for approval was held to authorize corresponding appropriation from these funds. Volume **VII**, section **1209**.

(28) Authorization of.—In the District of Columbia Bill.

An appropriation for the maintenance of motor cycles belonging to the Government was held to be authorized by law. Volume **VII**, section **1177**.

An appropriation for an automobile, however necessary to the efficient and economical performance of authorized official duties is not in order on an appropriation bill unless specifically authorized by law. Volume **VII**, section **1178**.

An appropriation to restrict free kindergarten supplies to indigent children was held to be out of order on an appropriation bill. Volume **VII**, section **1179**.

Authorization for the erection of a memorial without expense to the United States was construed not to authorize an appropriation for maintenance of the memorial when erected. Volume **VII**, section **1180**.

An appropriation for increased cost in park maintenance was held to be in order on an appropriation bill. Volume **VII**, section **1181**.

The organic act of the District of Columbia authorizes appropriation for interest on District bonds and a subsequent act authorize appropriations for sinking fund for their payment. Volume **VII**, section **1182**.

An appropriation for interest and sinking fund on the funded debt of the District of Columbia to be paid jointly from the Federal Treasury and District revenues is authorized by law. Volume **VII**, section **1183**.

A law establishing a definite policy was held to authorize appropriation for agents to carry out such policy and instrumentalities promoting the efficiency of those agents. Volume **VII**, section **1184**.

A system of inspection being provided for by law it was held in order to appropriate for inspectors and motor cycles for their official use. Volume **VII**, section **1184**.

An appropriation to reimburse officials for services and expenses, however valid, is an appropriation for a private claim and is not in order on an appropriation bill. Volume **VII**, section **1184**.

Appropriations for maintenance of police and health and other departments in the District of Columbia are authorized by the organic act creating permanent form of government in the District of Columbia. Volume **VII**, section **1185**.

An appropriation to be paid from the District revenues for maintenance of bathing beaches in the District of Columbia was held to be authorized by law. Volume **VII**, section **1186**.

APPROPRIATIONS—Continued.**(28) Authorization of.—In the District of Columbia Bill—Continued.**

- A provision of law authorizing Commissioners of the District of Columbia to take over and operate wharves was held not to authorize an appropriation to reconstruct such wharves. Volume **VII**, section **1187**.
- Authorization of law for use of public-school buildings as social and recreational centers does not warrant appropriations for such purposes. Volume **VII**, section **1188**.
- An appropriation for opening, widening, or extending streets and highways in the District of Columbia was held to be authorized by law. Volume **VII**, section **1189**.
- An appropriation for Americanization work in the District of Columbia was held not to be authorized by law. Volume **VII**, section **1190**.
- A law providing for establishment of specific regulations authorizes appointment of agents to enforce such regulations, and in the absence of legislative limitation on the number to be appointed, an appropriation for any number is in order on an appropriation bill. Volume **VII**, section **1191**.
- The law empowering the Commissioners of the District of Columbia to make building regulations was held to authorize the appointment of building inspectors. Volume **VII**, section **1191**.
- An appropriation to be expended in case of emergency only was held to be in order on an appropriation bill. Volume **VII**, section **1192**.
- The law creating a governmental agency and defining its duties impliedly authorizes an appropriation for maintenance, including allowances for automobiles, and in the absence of statutory limitation any amount may be appropriated. Volume **VII**, section **1193**.
- Appropriations for typewriters, filing cases, and other essential equipment for an office authorized by law are in order on an appropriation bill. Volume **VII**, section **1194**.
- An appropriation for machinery required for repair and maintenance of sewers was held to be in order on an appropriation bill. Volume **VII**, section **1195**.
- An appropriation to increase the authorized salary of the engineer commissioner of the District of Columbia was held not to be in order on an appropriation bill. Volume **VII**, section **1331**.

(29) Authorization of.—In the Independent Offices Bill.

- An appropriation for traveling expenses of the President, within the prescribed statutory limit, is authorized by law. Volume **VII**, section **1196**.
- The provision of the Constitution directing the President to make recommendations to Congress was held not to authorize appropriations for agencies to secure information to be used in the discharge of that duty. Volume **VII**, section **1197**.
- An appropriation enabling the President to gather tariff information by appointment of a tariff board was held not to be in order on an appropriation bill. Volume **VII**, section **1197**.
- An appropriation for examination of presidential postmasters was held to be authorized by law. Volume **VII**, section **1198**.
- Appropriations for the examination of estimates of appropriations in the field by committees or subcommittees of Congress were held not to be authorized by law. Volume **VII**, section **1199**.
- A declaration of policy embodied in a statute was held not to authorize appropriations for purposes germane to the policy but not specifically authorized by the act. Volume **VII**, section **1200**.
- Appropriations for expenses of officers or employees of the United States or of the District of Columbia in attending conventions of societies or associations in connection with their official duties are in order on an appropriation bill. Volume **VII**, section **1201**.
- An appropriation of certain revenues of the Shipping Board in direct violation of existing law requiring such moneys to be covered into the Treasury was held not in order on a general appropriation bill. Volume **VII**, section **1132**.

APPROPRIATIONS—Continued.**(30) Authorization of.—In the Interior Department Bill.**

Law authorizing designated parties to take certain action was construed as not authorizing an appropriation to compensate the Government for expenditures in taking such action. Volume **VII**, section **1202**

Authorization for Indians to lease their lands was held not to authorize an appropriation to enable the Government to lease the same lands. Volume **VII**, section **1202**.

A law permitting Indians to remove timber from reservations does not authorize an appropriation for that purpose. Volume **VII**, section **1204**.

A law authorizing operations by other than governmental agencies and without expense to the Government was held not to authorize an appropriation for such operations. Volume **VII**, section **1204**.

Statutory authorization for support of designated Indian tribes does not authorize appropriations for other Indians, even when formerly members of the tribes enumerated. Volume **VII**, section **1205**.

Unless specifically authorized by treaty obligations or statutory provision, any appropriation for support or civilization of Indians is within the rule and is not in order on an appropriation bill. Volume **VII**, section **1205**.

An appropriation for investigation of condition of Indians was held not to be in order on an appropriation bill. Volume **VII**, section **1205**.

The authority of the Government to exercise control over the Indian tribes authorizes an appropriation for employment of counsel to represent their interests in litigation. Volume **VII**, section **1206**.

It being provided by statute that funds derived from sale of timber on Indian lands be expended only after approval by Congress of estimates submitted by the Executive, submission of such estimates for approval was held to authorize corresponding appropriations from these funds. Volume **VII**, section **1209**.

A statute providing that expenditures from a fund be made only on approval by Congress of certain estimates was held to authorize such expenditure on submission of the prescribed estimates. Volume **VII**, section **1209**.

An appropriation for expenses incurred in suits to determine the rights of Indians was held to be in order in an appropriation bill. Volume **VII**, section **1211**.

An appropriation for the suppression of the traffic in peyote was held to be in order on an appropriation bill. Volume **VII**, section **1212**.

An appropriation for support and education of Indian pupils at Government schools was held to be in order on an appropriation bill. Volume **VII**, section **1213**.

An appropriation for telegraph and telephone tolls on business pertaining to the Indian Service was held to be in order on an appropriation bill. Volume **VII**, section **1214**.

Mere statutory reference to an office is not sufficient authorization to warrant an appropriation for pay of incumbent. Volume **VII**, section **1215**.

A summary of authorizations of appropriations for the Indian Service. Volume **VII**, section **1215**.

Authorization for enlargement, extension, improvement, and repair of buildings and grounds was held not to authorize a new building. Volume **VII**, section **1216**.

An authorization of law for appropriations should be construed strictly and any legitimate doubt as to authority for an appropriation should be resolved in the negative. Volume **VII**, section **1216**.

The erection of a new dormitory building to replace an old one was held not to be in continuation of public work already in progress. Volume **VII**, section **1216**.

An appropriation for payment of damage to lands and crops incurred in condemning right of way for irrigation projects was held to be authorized by law. Volume **VII**, section **1217**.

An appropriation for the construction of national-park and national-monument roads including necessary bridges was held to be sanctioned by law. Volume **VII**, section **1218**.

APPROPRIATIONS—Continued.**(30) Authorization of.—In the Interior Department Bill—Continued.**

Authorization to appropriate for relief of distress among Indians in general was held to warrant an appropriation for certain designated Indians. Volume **III**, section **1219**.

Authorization for an appropriation to be dispensed by the Executive was held not to warrant an appropriation to be jointly dispensed by the Executive and State officials. Volume **VII**, section **1220**.

Appropriations for the improvement of an Indian reservation were held to be authorized if for construction of roads within the reservation, and unauthorized if for construction of roads beyond the reservation. Volume **VII**, section **1221**.

An appropriation for examination of mineral resources and products of the national domain was held to be authorized by law. Volume **VII**, section **1222**.

A statute authorizing certain bureau work in the United States was held not to authorize an extension of that work to the Territory of Alaska. Volume **VII**, section **1224**.

The organic law creating the Bureau of Mines, while general in character, was construed as applying to the United States only, and authorization conferred to investigate structural materials and fuels is limited to those within the States and does not extend to those of Alaska. Volume **VII**, section **1224**.

Appropriations for the support of Howard University are not authorized by law. Volume **VII**, section **1225**.

An appropriation for the maintenance of a private educational institution unauthorized by law was held not to be in order on an appropriation bill. Volume **VII**, section **1225**.

The fact that the Government is to be reimbursed for an unauthorized expenditure does not make it in order on an appropriation bill. Volume **VII**, section **1228**.

While requisite publications of bureaus are authorized by law a provision for a specified bureau publication was held not to be in order on an appropriation bill. Volume **VII**, section **1228**.

While request publications of bureaus are authorized by law a provision for a specified bureau publication was held not to be in order on an appropriation bill. Volume **VII**, section **1228**.

An appropriation for publication of the Reclamation Record was held to be unauthorized by law. Volume **VII**, section **1229**.

(31) Authorization of.—In the Legislative Branch Bill.

The committee, overruling the Chairman, decided that an appropriation for packing boxes was authorized by law. Volume **VII**, section **1230**.

Appropriations for equipment and materials essential to the convenient and efficient conduct of public business by the House or Senate are in order on an appropriation bill. Volume **VII**, section **1230**.

Appropriations for payment of expenses incurred in contested-election cases are in order on an appropriation bill when duly certified by Committee on Elections and not otherwise. Volume **VII**, section **1231**.

Action by the House authorizing Members to appear in court in connection with their official duties is construed to imply authorization for employment of counsel to represent them. Volume **VII**, section **1311**.

The House having passed a resolution authorizing Members to appear in court in official capacity, a provision for salary of counsel to represent them on that occasion is in order on an appropriation bill. Volume **VII**, section **1312**.

The House having passed a resolution from the Committee on Accounts authorizing the employment of a person, a provision for the salary is in order on an appropriation bill, but such provision shall conform with the provisions of the resolution. Volume **VII**, section **1313**.

APPROPRIATIONS—Continued.**(32) Authorization of.—In the Navy Department Bill.**

Statutory direction to establish a naval station was construed as authorizing the paving of streets and erection of warehouses as incidental thereto. Volume **VII**, section **1232**.

An appropriation for advertisements for naval recruits was held to be unauthorized and therefore not in order on an appropriation bill. Volume **VII**, section **1233**.

The law authorizing regulations for examination of midshipmen was held not to sanction an appropriation for transportation of successful candidates to the academy. Volume **VII**, section **1234**.

Statutory authorization for maintenance of a governmental service authorizes essential expenses incident thereto. Volume **VII**, section **1235**.

Expenses incurred by Naval officers on shore patrol duty, although not specifically authorized by law, are necessarily incidental to their service, and appropriations to pay them are in order on an appropriation bill. Volume **VII**, section **1235**.

An appropriation for boards of inspection was held to be in order on an appropriation bill. Volume **VII**, section **1236**.

An appropriation for hire of vessels in Asiatic waters was held to be in order on an appropriation bill as an incidental expense to maintenance of an authorized service. Volume **VII**, section **1237**.

An appropriation for the recovery of valuables from shipwrecks was held to be authorized by law. Volume **VII**, section **1238**.

An appropriation for "collection of information at home and abroad" by the naval service was held to be authorized by law. Volume **VII**, section **1239**.

An appropriation for recreation of enlisted men, although without specific statutory authorization, was held to be in order on an appropriation bill as necessary to the efficient maintenance of naval operations. Volume **VII**, section **1240**.

An appropriation for contingent expenses and unforeseen emergencies was held to be in order on an appropriation bill. Volume **VII**, section **1241**.

An appropriation for the establishment of shooting ranges and the purchase of prizes and trophies was held not to be in order on an appropriation bill. Volume **VII**, section **1242**.

An appropriation for experiments by the Bureau of Ordnance, while not specifically authorized by statute, was held to be in order on an appropriation bill. Volume **VII**, section **1243**.

An appropriation for hire of quarters for naval personnel when otherwise unobtainable was held to be in order on an appropriation bill. Volume **VII**, section **1244**.

Appropriations for hire of automobiles, hire of launches, and rent in offices outside of navy yards were held incidental to the maintenance of the Naval Establishment and therefore in order on an appropriation bill. Volume **VII**, section **1245**.

A statute imposing certain duties on a departmental executive was held not to authorize an appropriation to enable the President to discharge such duties. Volume **VII**, section **1246**.

A provision in a general appropriation bill authorizing the expenditure of money therein appropriated for the protection of the naval petroleum reserve was held to be authorized by the holding statute. Volume **VII**, section **1246**.

Appropriations for new vessels and otherwise unauthorized craft of the Navy, formerly held to be in order as a continuance of a public work, are no longer admissible on an appropriation bill. Volume **VII**, section **1351**.

(33) Authorization of.—In the State, Justice, Commerce, and Labor Bill.

Ratification by law of appointment of delegates to a convention was not construed to authorize appropriations for expenses of an international commission organized by the convention. Volume **VII**, section **1247**.

In the absence of an actual appointment by the President, or of confirmation of such appointment by the Senate, an appropriation for the salary of a minister to a country to which a statute authorizes the appointment of an ambassador is subject to a point of order. Volume **VII**, section **1248**.

APPROPRIATIONS—Continued.**(33) Authorization of.—In the State, Justice, Commerce, and Labor Bill—Continued.**

Where a statute authorizes a diplomatic mission to a designated government it is in order to appropriate for the salary of diplomatic officers thereto prior to their appointment by the President. Volume **VII**, section **1248**.

The President, at will, may raise a legation to an embassy or reduce an embassy to a legation, any statute to the contrary notwithstanding, and where the President has made such change and followed it with an appointment which has been approved by the Senate, an appropriation for the salary of the appointee is in order unless the rate of pay is in contravention of law. Volume **VII**, section **1248**.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII**, section **1248**.

Where the President has appointed a diplomatic representative and the appointment has been approved by the Senate, a point of order does not lie against an appropriation for the salary of such representative unless the rate of pay has been otherwise fixed by law. Volume **VII**, section **1248**.

Mere authority conferred by law to issue passports was held not to authorize creation of a bureau for that purpose. Volume **VII**, section **1249**.

An appropriation for loss on bills of exchange to and from embassies and legations was held to be in order on an appropriation bill. Volume **VII**, section **1250**.

An appropriation for transportation and subsistence of diplomatic and consular officers en route to and from their posts was held to be in order on an appropriation bill. Volume **VII**, section **1251**.

An appropriation for the transportation of officers of the United States Court for China was held to be authorized by the organic act creating the court. Volume **VII**, section **1252**.

Hire of a steam launch was held to be a necessary expense incident to maintenance of an embassy at Constantinople, and an appropriation therefore was admitted on an appropriation bill. Volume **VII**, section **1253**.

Provision by law for appointment of an international commission with appropriation for its maintenance for the fiscal year was held not to authorize appropriations for subsequent years. Volume **VII**, section **1254**.

While estimates by Secretary of State of appropriations for acquisition of sites and buildings for diplomatic and consular establishments are provided for by law, the submission of such estimate is not a condition precedent to appropriation by Congress, and an appropriation for which no estimate had been made was held to be in order on an appropriation bill. Volume **VII**, section **1255**.

Appropriations for the annual quota of the United States in support of the International Trade-mark Bureau and the International Hydrographic Bureau were held not be authorized by existing law. Volume **VII**, section **1256**.

An appropriation for commercial attachés to be appointed by the Secretary of Commerce was held by the House to be authorized by the organic law creating the Department of Commerce. Volume **VII**, section **1257**.

An appropriation for purchase of vessels generally for the Lighthouse Service was held not to be authorized by statutory provision for purchase of a specified class of vessels for the Lighthouse Service. Volume **VII**, section **1258**.

An appropriation for demonstrating uses of fish as food was held not to be authorized by the organic act creating the Bureau of Fisheries. Volume **VII**, section **1259**.

Authorization of an appropriation for an investigation is not construed to include authorization of an appropriation for demonstrating results of such investigation. Volume **VII**, section **1259**.

APPROPRIATIONS—Continued.**(33) Authorization of.—In the State, Justice, Commerce, and Labor Bill—Continued.**

An appropriation for investigations in cooperation with industries of problems in industrial development was held to be authorized by the organic law creating the Bureau of Standards. Volume **VII**, section **1260**.

An appropriation for promotion of commerce in the Far East was held to be authorized by organic law establishing the Department of Commerce. Volume **VII**, section **1261**.

The general statement of purpose for which a department is established, as set forth in the organic act creating it, is not to be construed as authorization for appropriations not specifically provided for in succeeding sections of the act providing for bureaus designated to carry out the declaration of purpose. Volume **VII**, section **1264**.

An appropriation to enable the Secretary of Labor to advance opportunities for profitable employment of wage earners was held not to be in order on an appropriation bill. Volume **VII**, section **1264**.

Statements of purpose embodied in the organic act creating the Department of Labor were held not to authorize appropriations for establishment of an employment service. Volume **VII**, section **1265**.

An appropriation for "other needed work and improvement" was held to be sanctioned by law authorizing the service for which proposed. Volume **VII**, section **1266**.

The enactment establishing an institution was held not to authorize construction of a new building therein. Volume **VII**, section **1267**.

Law limiting the labor of inmates to duties necessary for the construction and maintenance of an institution was held not to authorize an appropriation for construction of additional buildings for the institution. Volume **VII**, section **1267**.

An appropriation for investigation of infant mortality and dangerous occupations was held to be authorized by law. Volume **VII**, section **1262**.

(34) Authorization of.—In the Treasury and Post Office Bill.

An appropriation for compensation of temporary employees to be fixed by the Executive was held to be authorized by law. Volume **VII**, section **1268**.

An appropriation for maintenance of an assay office permanently established by law was held to be in order on an appropriation bill. Volume **VII**, section **1269**.

Legislation objected to and admitted on general appropriation bills may authorize appropriations in future bills. Volume **VII**, section **1269**.

Provision for the collection and dissemination of information to encourage law enforcement was held not to be in order on an appropriation bill. Volume **VII**, section **1270**.

The statute prohibiting purchase of land except by authority of law was held not to apply to a purchase of land for aviation stations, such purchase being authorized by law. Volume **VII**, section **1272**.

Construction of the law authorizing the employment of "watchmen, messengers, and laborers" in the executive departments. Volume **VII**, section **1327**.

(35) Authorization of.—In the War Department Bill.

While the fortifications appropriation bill carried general appropriations for a plan of work in progress, specific appropriations for individual works not authorized by law and not in progress were held not to be in order thereon. Volume **VII**, section **1271**.

The reappropriation of an unexpended balance for acquisition of land for aviation stations was held to be authorized by law. Volume **VII**, section **1272**.

The organic law creating a department authorizes necessary contingent expenses incident to its maintenance. Volume **II**, section **1272**.

Directions to the Secretary of War to issues and material to the National Guard is authorized by law. Volume **VII**, section **1274**.

The maintenance of students and attaché's was held not be a necessary incidental departmental expense and therefore unauthorized by the organic act creating the department. Volume **VII**, section **1275**.

APPROPRIATIONS—Continued.**(35) Authorization of.—In the War Department Bill—Continued.**

Those upholding an item in an appropriation bill have the burden of showing the law authorizing it. Volume **VII**, section **1275**.

A provision in permanent law authorizing establishment of rifle ranges open to “all able-bodied males capable of bearing arms” authorizes an appropriation for “transportation of instructors of employees and civilians engaged in target practice.” Volume **VII**, section **1276**.

A question of authorization being raised against an item in an appropriation bill, it is incumbent upon the Member in charge of the bill to submit citation of authority. Volume **VII**, section **1276**.

A statute general in form authorizing salaries is superseded by a subsequent statute specifying the personnel to be paid, and an appropriation for salaries of others than those specified is not in order. Volume **VII**, section **1277**.

An appropriation of land for aviation purposes was held to be authorized by law. Volume **VII**, section **1278**.

The expenditure of an appropriation for expenses provided in an act creating a permanent commission was construed not to terminate the operation of the act, and a further appropriation for maintenance of the commission was held to be in order on an appropriation bill. Volume **VII**, section **1279**.

An appropriation for the expenses of the California Débris Commission was held to be authorized by law. Volume **VII**, section **1279**.

An appropriation for expenses of the General Staff College was held to be in order on an appropriation bill. Volume **VII**, section **1280**.

A change in the name of an institution from that carried in the law authorizing appropriation for its maintenance was held not to vitiate such authorization where identity of the institution was not thereby obscured. Volume **VII**, section **1280**.

A provision prescribing method of appointing instructors in Army schools constitutes legislation and is not in order on an appropriation bill. Volume **VII**, section **1281**.

An appropriation for Army service schools was held to be authorized by law. Volume **VII**, section **1281**.

An appropriation for extension of a military telegraph system was held to be in order on an appropriation bill. Volume **VII**, section **1282**.

An appropriation for purposes not enumerated which an Executive might deem advisable was held to be unauthorized. Volume **VII**, section **1283**.

An appropriation to encourage breeding of horses for the Army was held to be in order under the law authorizing appropriations for purchase of Army horses. Volume **VII**, section **1284**.

Decisions on authorization of appropriations for the promotion of rifle practice. Volume **VII**, section **1285**.

(36) Available Immediately and Available Until Expended.

Appropriations “immediately available,” formerly ruled out of supply bills as deficiency appropriations, are no longer subject to points of order as such (footnote). Volume **VII**, section **1119**.

Under the modern practice the provision that an appropriation be “immediately available” is not subject to a point of order. Volume **VII**, section **1120**.

A proposition to render an annual appropriation available until expended is in effect an appropriation for succeeding years and is not within the jurisdiction of a committee other than the Committee on Appropriations. Volume **VII**, section **2145**.

Under the statute exempting appropriations for rivers and harbors from the operation of the law requiring unexpended balances to be covered into the Treasury, a provision that an appropriation for flood control should remain available until expended was held to be in order. Volume **VII**, section **1401**.

APPROPRIATIONS—Continued.**(36) Available Immediately and Available Until Expended—Continued.**

A provision making an appropriation available beyond the fiscal year supplied by the pending bill was held to be legislation and not in order on an appropriation bill. Volume **VII**, section **1272**.

An appropriation made “available until expended” is in the nature of legislation and not in order on a general appropriation bill. Volume **VII**, section **1276**.

Provision that an appropriation remain available until expended constitutes legislation and is not in order on a general appropriation bill. Volume **VII**, section **1399**.

(37) Claims.—Authorized by Existing Law.

It is in order to provide, on an appropriation bill as a deficiency, for the payment of a claim audited under authority of law. Volume **IV**, section **3634**.

It is in order on the deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in accordance with the law. Volume **IV**, section **3641**.

It is in order to provide on a general appropriation that no part of a certain appropriation shall be expended in payment of an adjudicated claim until the said claim shall have been certified as finally adjudicated. Volume **IV**, section **3641**.

A claim having been adjudicated under authority of a treaty, an appropriation for its payment was admitted on the deficiency bill. Volume **IV**, section **3644**.

It is in order on a deficiency appropriation bill to appropriate in payment of a contract lawfully made. Volume **IV**, section **3645**.

It is in order on a deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in the form of a public document transmitted to the Speaker by the Executive, but not otherwise and a mere certified copy of a mandate of the Supreme Court of the United States transmitted informally was held not to justify an appropriation in an appropriation bill. Volume **VII**, section **1291**.

An appropriation for balance due under an authorized contract was held to be in order on a deficiency appropriation bill although the item had not been audited. Volume **VII**, section **1293**.

(38) Claims.—Unauthorized.

Propositions to pay private claims against the Government (except judgments of the courts or audited claims) are not in order on general appropriation bills. Volume **IV**, section **3619**.

The payment of an unadjudicated claim, even though the amount be ascertained and transmitted by the head of an Executive Department, is not in order on the deficiency bill. Volume **IV**, section **3625**.

It is not in order to appropriate on the deficiency bill for an unadjudicated claim, even though it be transmitted to the House by an Executive message. Volume **IV**, section **3628**.

Appropriations for payment of claims, even such as have been investigated and reported on by officers of the Government, are not in order on a general appropriation bill. Volume **IV**, section **3629**.

A proposition to pay a claim reported on favorably by a board of officers is not in order on the deficiency bill unless the expenditure for the object has been authorized by law. Volume **IV**, section **3633**.

It is in order to provide, on an appropriation bill as a deficiency, for the payment of an account audited under authority of law; but not to provide for such auditing. Volume **IV**, section **3636**.

The Comptroller having ascertained the amount of a claim on appeal, an appropriation bill may not carry a larger amount found by the Auditor who has been overruled. Volume **IV**, section **3638**.

The fact that a department officer has reported on a claim in accordance with a direction of law does not thereby make an audited claim for which provision may be made on an appropriation bill. Volume **IV**, section **3639**.

APPROPRIATIONS—Continued.**(38) Claims.—Unauthorized—Continued.**

Findings filed by the court under the Bowman Act do not constitute such adjudications of claims as justify appropriation in the general deficiency appropriation bill. Volume **IV**, section **3643**.

The payment of a claim for unliquidated damages is unauthorized by law and not in order on an appropriation bill. Volume **VII**, section **1287**.

The fact that a department officer has reported on a claim in accordance with a direction of law does not thereby make an audited claim for which provision may be made in an appropriation bill. Volume **VII**, section **1288**.

A proposition to pay an unliquidated claim against the Government is not in order on an appropriation bill. Volume **VII**, section **1289**.

It is in order on a deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in the form of a public document transmitted to the Speaker by the Executive, but not otherwise and a mere certified copy of a mandate of the Supreme Court of the United States transmitted informally was held not to justify an appropriation in an appropriation bill. Volume **VII**, section **1291**.

while it is in order to appropriate for payment of judgments of the courts certified to Congress in accordance with law, mere findings of fact by the Court of Claims were held not to authorize an appropriation. Volume **VII**, section **1292**.

An appropriation to reimburse officials for services and expenses, however valid, is an appropriation for a private claim and is not in order on an appropriation bill. Volume **VII**, section **1184**.

(39) Committee of the Whole.—Require Consideration in.

All appropriations of public moneys or property, and propositions to release any liability to the United States or refer any claim to the Court of Claims are considered in Committee of the Whole. Volume **IV**, section **4792**.

It was decided early in the history of the House that a bill requiring an appropriation to be made should be considered in Committee of the Whole as if actually making the appropriation. Volume **IV**, section **4824**.

A bill must be considered in Committee of the Whole, even though the portion requiring an appropriation be merely incidental to the main purpose of the bill. Volume **IV**, section **4825**.

Instance of the early practice of considering subjects in Committee of the Whole irrespective of appropriations of money. Volume **III**, section **1984**.

An amendment to a Senate amendment providing an appropriation for another purpose than that of the Senate amendment requires consideration Committee of the Whole. Volume **IV**, section **4795**.

To require consideration in Committee of the Whole a bill must show on its face that it involves an expenditure of money, property, etc. Volume **IV**, sections **4811–4817**.

A bill that may incidentally involve expense to the Government, but does not require it, is not subject to the point of order that it must be considered in Committee of the Whole. Volume **IV**, section **4810**.

Where the expenditure is a mere matter of speculation the rule requiring consideration in Committee of the Whole does not apply. Volume **IV**, sections **4818–4821**.

A bill providing for payment of money into the Treasury, and also making an appropriation of the same, requires consideration in Committee of the Whole. Volume **IV**, section **4834**.

Instance of a ruling that a provision changing the manner of expenditure of money already appropriated does not require consideration in Committee of the Whole. Volume **IV**, section **4830**.

APPROPRIATIONS—Continued.**(40) Committee of the Whole.—High Privilege of Motion to Go Into.**

The motion to go into Committee of the Whole House on the state of the Union to consider a revenue or general appropriation bill may, when authorized by a committee, be made at any time after the Journal is read. Volume **IV**, section **3072**.

A motion to go into Committee of the Whole House on the state of the Union is most highly privileged only for revenue and appropriation bills. Volume **IV**, section **3073**.

The motion to go into Committee of the Whole to consider revenue bills and the motion to do the same to consider general appropriation bills are of equal privilege. Volume **IV**, sections **3075**, **3076**.

Motions to go into Committee of the Whole to consider the various general appropriation bills are of equal privilege, and will be put in the order in which recognition is secured. Volume **VI**, section **722**.

The motion to go into Committee of the Whole House on the state of the Union to consider revenue or appropriation bills may designate the particular bill to be considered. Volume **IV**, section **3074**.

The highly privileged character of general appropriation bills continues at all stages, including the period after they are returned with Senate amendments. Volume **IV**, section **3148**.

The motion to go into the Committee of the Whole for the consideration of revenue or appropriation bills is not in order on Wednesday. Volume **VII**, section **904**.

A motion to go into Committee of the Whole to consider general appropriation bills is in order Friday as on other days. Volume **IV**, section **3081**.

The motion to go into Committee of the Whole to consider general appropriation bills has precedence on a Friday of a motion to go into Committee of the Whole to consider the Private Calendar. Volume **IV**, sections **3082–3085**. Volume **VI**, section **719**.

The motion to go into the Committee of the Whole to consider general appropriation bills on Friday takes precedence of a motion to go into the Committee of the Whole to consider the Private Calendar only when authorized by the committee having jurisdiction. Volume **VI**, section **721**.

The privileged motion to go into the Committee of the Whole to consider revenue or appropriation bills may be made on a “suspension day” as on other days. Volume **IV**, section **3080**.

The motion to go into Committee of the Whole to consider general appropriation bills has precedence on Monday of a motion to go into Committee of the Whole to consider a bill reported by the Committee on the District of Columbia. Volume **VI**, sections **716**, **717**.

The motion to go into Committee of the Whole to consider revenue and general appropriation bills is in order on Monday as on other days. Volume **VII**, sections **876**, **1123**.

Under a former condition or rule it was held that a motion to go into Committee of the Whole to consider a general appropriation bill was not privileged as against business in order on District of Columbia day. Volume **IV**, section **3305**.

The motion to go into Committee of the Whole to consider a general appropriation bill may not be amended by a nonprivileged proposition, and the previous question may not be demanded on it. Volume **IV**, section **3077**. Volume **VI**, section **723**.

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **IV**, section **4621**. Volume **VI**, section **723**.

Former method of securing precedence of revenue, general appropriation, and river and harbor bills in Committee of the Whole. Volume **IV**, section **4729**.

The House may dispense with business in order under the rule by voting affirmatively on a privileged motion to resolve into Committee of the Whole to consider general appropriation or revenue bills. Volume **VII**, section **853**.

APPROPRIATIONS—Continued.**(40) Committee of the Whole.—High Privilege of Motion to Go Into—Continued.**

The Call of the Consent Calendar on days devoted to its consideration by the rules takes precedence of the motion to go into Committee of the Whole to consider revenue or appropriation bills. Volume **VII**, section **986**.

The House (overruling the Speaker) held the motion discharging a committee from the consideration of a bill to be of higher privilege on suspension day than the motion to resolve into Committee of the Whole for the consideration of revenue or appropriation bills. Volume **VII**, section **1016**.

Privileged motions to change the reference of public bills have precedence of motions to go into Committee of the Whole to consider general appropriation bills. Volume **VII**, section **2124**.

Consideration of a conference report has precedence of a motion to go into the Committee of the Whole for the consideration of a general appropriation bill. Volume **VIII**, section **3291**.

A motion to go into the Committee of the Whole House on the state of the Union to consider an apportionment bill was formerly held to take precedence over the motion to go into the committee to consider a general appropriation bill. Volume **VI**, section **52**.

(41) Committee of the Whole.—Consideration in. See also “Committee of the Whole.”

When the House agrees to the privileged motion to go into Committee of the Whole to consider a particular revenue or appropriation bill the Committee of the Whole may not consider a different bill. Volume **IV**, section **4734**.

Appropriation and revenue bills are considered in Committee of the Whole by paragraphs, other bills by sections. Volume **IV**, sections **4739**, **4740**.

A discussion of procedure ordinarily followed in the consideration and passage of a general appropriation bill. Volume **VII**, section **1117**.

(42) Committee on.

Recent history of the Committee on Appropriations, section 3 of Rule XI. Volume **VII**, section **1741**.

The Committee on Appropriations has jurisdiction of appropriations for the support of the Government. Volume **VII**, section **1741**.

The Appropriations Committee reports appropriations in fulfillment of treaty stipulations with Indian tribes. Volume **VII**, section **1742**.

The Committee on Appropriations having jurisdiction of all general appropriations, including deficiencies, has authority to report bills including items to be immediately available. Volume **VII**, section **1743**.

To provide that an appropriation already made shall be available for a different purpose is an appropriation and exclusively within the jurisdiction of the Committee on Appropriations. Volume **VII**, section **1744**.

Bills pertaining to the business and government of the Indian tribes are properly referred to the Committee on Indian Affairs unless carrying appropriations, in which event they are properly within the jurisdiction of the Committee on Appropriations. Volume **VII**, section **1940**.

The Committee on Invalid Pensions reports general and special bills authorizing payments of pensions to soldiers of the Civil War, but actual appropriations therefor are reported by the Committee on Appropriations. Volume **VII**, section **1988**.

The Committee on Pensions reports general and special bills authorizing the payment of pensions, but appropriations therefor are reported by the Committee on Appropriations. Volume **VII**, section **1990**.

While the Committee on Appropriations has jurisdiction to report appropriations the power to report legislation authorizing appropriations belongs to other committees. Volume **IV**, section **4033**.

APPROPRIATIONS—Continued.**(42) Committee on—Continued.**

Appropriations compensating heirs of foreigners killed by mobs have come within the jurisdiction of the Committee on Appropriations. Volume **IV**, section **4053**.

Awards of money to foreign nations in pursuance of treaties for the adjustment of claims or as acts of grace have been reported by the Committee on Appropriations. Volume **IV**, section **4050**.

(43) Committee on.—Reports of and Privilege of.

The rule requiring comparative prints in reports on measures repealing existing law, while effective as to substantive legislative provisions reported in general appropriation bills, is not otherwise applicable to reports from the Committee on Appropriations and does not extend to changes in paragraphs merely carrying stated appropriations. Volume **VIII**, section **2241**.

The Committees on Rules, Elections, Ways and Means, Appropriations, Rivers and Harbors, Public Lands, Territories, Enrolled Bills, Invalid Pensions, Printing, and Accounts may report at any time on certain matters. Volume **VIII**, section **2251**.

The right of the Committee on Appropriations to report at any time is confined strictly to the general appropriation bills. Volume **IV**, sections **4629–4632**. Volume **VIII**, section **2282**.

Revenue and general appropriation bills, river and harbor bills, certain bills relating to the public lands, for the admission of new States, and general pension bills may be reported at any time. Volume **VIII**, section **2251**.

The privilege of the Committee on Appropriations to report general appropriation bills at any time does not include resolutions extending appropriations. Volume **VIII**, section **2282**.

Bills providing special appropriations for specific purposes are not general appropriation bills and therefore not privileged. Volume **VIII**, section **2285**.

General appropriation bills with Senate amendments reported back to the House from the Committee on Appropriations are privileged and are subject to motions authorized by the committee. Volume **VIII**, section **3187**.

The right to report legislation at any time carries with it the right to consideration at any time when not in conflict with other rules of the House. Volume **VIII**, section **2291**.

(44) Committees—Jurisdiction of Other Than Committee on Appropriations.

A rule forbids the carrying of appropriations in bills or joint resolutions reported by committees without jurisdiction to report appropriations. Volume **VII**, section **2133**.

The rule forbidding consideration of items carrying appropriations in connection with bills reported by nonappropriating committees applies to Senate bills as to House bills. Volume **VII**, sections **2136**, **2137**, **2147**.

The rule prohibiting consideration of appropriations in bills reported by nonappropriating committees or amendments thereto, applies to the language only and not to the bill or section in which carried. Volume **VII**, section **2151**.

Points of order against appropriations in bills from committees without authority to report appropriations are properly directed against the appropriating language only, and when sustained do not affect the remainder of the bill. Volume **VII**, section **2148**.

Under the rule forbidding consideration of appropriations in connection with bills reported by nonappropriating committees, a point of order should be directed to the item of appropriation in the bill and not to the act of reporting the bill. Volume **VII**, section **2142**.

A rule forbids the offering of amendments proposing appropriations during the consideration of bills or joint resolutions reported by a committee not having jurisdiction to report appropriations. Volume **VII**, section **2133**.

Inasmuch as the inhibition provided in section 4 of Rule XXI applies to appropriations and not to acts of reporting, motions to discharge nonappropriating committees from consideration of bills carrying appropriations are not by reason of such appropriations subject to points of order. Volume **VII**, section **2144**.

APPROPRIATIONS—Continued.**(44) Committees.—Jurisdiction of Other Than Committee on Appropriations—Con.**

Questions of order against items proposing appropriations in bills or joint resolutions reported by committees not having jurisdiction to report appropriations, or in amendments to such bills, may be raised at any time. Volume **VII**, section **2133**.

An amendment, substituting for authorization of appropriation a direct appropriation immediately available, was held not to be in order on a bill reported by a committee without jurisdiction to report appropriations. Volume **VII**, section **2155**.

Committees without jurisdiction to report appropriations may not report propositions to reappropriate appropriations or parts of appropriations already made. Volume **VII**, section **2146**.

A proposition to reappropriate or make available an appropriation previously made or to divert such appropriation to any purpose other than that for which originally made is equivalent to a direct appropriation and is not in order in connection with a bill reported by a committee without authorized jurisdiction to report appropriations. Volume **VII**, section **2146**.

A proposition to render an annual appropriation available until expended is in effect an appropriation for succeeding years and is not within the jurisdiction of a committee other than the Committee on Appropriations. Volume **VII**, section **2145**.

Committees having jurisdiction of bills for the payment of private claims may report bills making appropriations within the limits of their jurisdiction. Volume **VII**, section **1992**.

Private bills and joint resolutions, and amendments thereto, carrying appropriations within the limits of the jurisdiction of the Committees on Invalid Pensions, Pensions, Claims, War Claims, Public Lands and Accounts, do not fall within the rule forbidding consideration of items proposing appropriations in connection with bills reported by nonappropriating committees. Volume **VII**, section **2134**.

The Committee on Claims has jurisdiction over appropriations for the payment of claims other than war claims against the United States and items providing appropriations for such proposes in bills reported by the committee are not subject to the point of order that jurisdiction to report appropriations rests exclusively in the Committee on Appropriations. Volume **VII**, section **1992**.

Although proposing a direct appropriation, a bill for the adjudication of any private claim against the Government must be referred to the Committee on Claims. Volume **VII**, section **2130**.

Legislative propositions relating to private claims against the Government are within the exclusive jurisdiction of the Committee on Claims and items in bills reported by the Committee on Appropriations providing for reimbursement for such claims are subject to a point of order. Volume **VII**, section **1994**.

Appropriations from the contingent fund reported by the Committee on Accounts are not subject to the point of order that the jurisdiction to report appropriations rests exclusively in the Committee on Appropriations. Volume **VII**, section **2052**.

The rule forbidding consideration of appropriations in connection with bills reported by nonappropriating committees applies to Senate bills as to House bills. Volume **VII**, section **2147**.

(45) Constitutional Provisions as Related to.

It being alleged that the Senate had invaded the constitutional prerogative of the House to originate appropriation bills, the Speaker entertained the matter as of privilege. Volume **III**, section **2558**.

No appropriation for the support of armies shall be for a longer term than two years. Volume **IV**, section **3571**.

In 1885 the House, after learned debate, declined to investigate the power of the Senate to originate bills appropriating money. Volume **II**, section **1501**.

APPROPRIATIONS—Continued.**(45) Constitutional Provisions as Related to—Continued.**

The Senate having insisted on its right to add a revenue amendment to an appropriation bill the House declined to proceed further with the bill. Volume **II**, section **1485**.

Discussion by a committee of the House of the constitutional right of the Senate to originate bills appropriating money from the Treasury. Volume **II**, section **1500**.

Interpretation of the constitutional provision limiting the duration of appropriations for the support of armies. Volume **IV**, section **3572**.

Reference to the establishment of the system of specific appropriations (footnote). Volume **IV**, section **4032**.

Reference to the President's protest against assumption by the House of the right to designate the officers who should disburse appropriations (footnote). Volume **IV**, section **4032**.

When the law limits appropriations to two years a provision that an appropriation shall remain available until expended is in violation of existing law. Volume **IV**, section **3716**.

A revenue amendment is not germane to an appropriation bill. Volume **V**, section **5852**.

Constitutional provisions, however explicit, are not sufficient to warrant appropriations not previously authorized by law. Volume **VII**, section **1144**.

The provision of the Constitution directing the President to make recommendations to Congress was held not to authorize appropriations for agencies to secure information to be used in the discharge of that duty. Volume **VII**, section **1197**.

Although the purpose for which proposed is sanctioned by the Constitution, an appropriation is not in order on general appropriation bills unless authorized by provision of statutory law. Volume **VII**, section **1197**.

The power of the President to appoint diplomatic representatives to foreign governments and to determine their rank is derived from the Constitution and may not be circumscribed by statutory enactments. Volume **VII**, section **1248**.

A statute prohibiting the creation of new ambassadorships except by act of Congress is in contravention of the President's constitutional prerogatives and will not support a point of order against an appropriation for the salary of an ambassadorship not created by act of Congress but appointed by the President and confirmed by the Senate. Volume **VII**, section **1248**.

Where the President has appointed a diplomatic representative and the appointment has been approved by the Senate, a point of order does not lie against an appropriation for the salary of such representative unless the rate of pay has been otherwise fixed by law. Volume **VII**, section **1248**.

(46) Continuation of Public Works.—The Rule and Its Interpretation.

A rule forbids in a general appropriation bill any appropriation not previously authorized by law unless for continuation of works or objects in progress. Volume **IV**, section **3578**. Volume **VII**, section **1125**.

The requirement that appropriations in general appropriation bills shall be authorized by existing law does not apply to continuation of appropriation for public works or objects in progress. Volume **IV**, section **3701**.

An appropriation in violation of existing law is not in order for the continuance of a public work. Volume **IV**, sections **3702–3724**. Volume **VII**, section **1332**.

A public work or object, to come within the terms of the rule, must be actually in "progress," according to the usual significance of the words. Volume **IV**, section **3706**. Volume **VII**, section **1334**.

Questions as to whether or not a public work or object, to come within the terms of the rule, must be actually "in progress." Volume **IV**, section **3705**.

By "public works and objects already in progress" are meant tangible matters like buildings, roads, etc., and not duties of officials in Executive Departments. Volume **IV**, sections **3709–3713**.

APPROPRIATIONS—Continued.**(46) Continuation of Public Works.—The Rule and Its Interpretation—Continued.**

- By “public works and objects already in progress” is meant actual works, not plans; specific projects capable of completion within reasonable time, and not mere proposed undertakings of a general and indefinite nature as the building of a town which might continue indefinitely, Volume **VII**, section **1336**.
- By “continuing work or object” are meant tangible matters capable of completion within a definite time. Volume **IV**, sections **3714, 3715**.
- The continuation of a public work which has long been interrupted has been held to justify an appropriation. Volume **IV**, section **3708**.
- The continuation of a public work must not be so conditioned in relation to place as to become really a new work. Volume **IV**, section **3704**.
- A provision admissible under the rule was ruled out of order on account of accompanying legislation. Volume **VII**, section **1383**.
- The tendency of later decisions is to limit the application of the principle of making in order appropriations for work in progress. Volume **VII**, sections **1150, 1333**.
- An appropriation to continue a project authorized by existing law without limitation of cost was held in order on an appropriation bill. Volume **VII**, sections **1335, 1388**.
- A work in process of construction but paid for from a designated fund was held not to constitute a “work in progress” within the meaning of the rule. Volume **VII**, section **1340**.
- An appropriation to continue work authorized by current law beyond the time of that authorization was ruled out of order on an appropriation bill. Volume **VII**, section **1346**.
- While the fortifications appropriation bill carried general appropriations for a plan of work in progress, specific appropriations for individual works not authorized by law and not in progress were held not to be in order thereon. Volume **VII**, section **1271**.
- Provisions in the pending bill, though read and passed by the committee, are not construed as “existing law” within the purview of clause 2 of Rule XXI. Volume **VII**, section **1476**.

(47) Continuation of Public Works.—New Buildings or New Construction at Existing Institutions.

- While appropriations for new buildings at existing Government institutions have sometimes been admitted as in continuance of a public work, they are not regarded as establishing a principle. Volume **IV**, sections **3741–3746**.
- The construction of a new building at the Naval Academy, but not for the work of the Academy, was held not to be a continuation of a public work. Volume **IV**, section **3747**.
- Provision for the construction of a new boathouse at the Naval Academy was held not to be in order in an appropriation bill as a continuation of a public work. Volume **VII**, section **1356**.
- The construction of barracks at a navy-yard was held not to be the continuance of a public work or object. Volume **IV**, section **3755**.
- An appropriation for officers’ quarters at a navy-yard is not in order on the naval appropriation bill as in continuance of a public work. Volume **IV**, section **3758**.
- An appropriation for a naval prison at a navy-yard was held not to be in continuance of a public work and not in order on the naval appropriation bill. Volume **IV**, sections **3756, 3757**.
- It is not in order on the naval appropriation bill to appropriate for a new foundry not previously authorized by law at a navy-yard. Volume **IV**, section **3761**.
- An appropriation for a hospital for lepers at a naval station was held not in order on the naval appropriation bill as in continuance of a public work. Volume **IV**, section **3756**.
- The purchase of sites and erection of buildings for the Weather Bureau not being authorized by prior legislation, an appropriation therefor is not in order on the agricultural appropriation bill. Volume **IV**, sections **3753, 3754**.
- The erection of laboratory buildings for the Department of Agriculture was held not to be in continuance of a public work already in progress. Volume **IV**, section **3752**.

APPROPRIATIONS—Continued.**(47) Continuation of Public Works.—New Buildings or New Construction at Existing Institutions—Continued.**

- The establishment of a new station under the Fish Commission was held to be unauthorized by law. Volume **IV**, section **3751**.
- The completion of the buildings at the Army War College was held to be in continuation of a public work. Volume **IV**, section **3748**.
- The erection of new houses for quarters at the Naval Observatory was held to be in continuation of a public work. Volume **IV**, section **3750**.
- The erection of necessary fireproof outbuildings for the Bureau of Engraving and Printing was held to be in continuation of a public work. Volume **IV**, section **3749**.
- The erection of a new dormitory building to replace an old one was held not to be in continuation of public work already in progress. Volume **VII**, section **1216**.
- An appropriation for installation of a refrigerating plant at the District of Columbia morgue was held to be in order as in continuance of a work in progress. Volume **VII**, section **1359**.

(48) Continuation of Public Works.—Selection of Site or Making of Survey not a Beginning.

- Although an appropriation had previously been made for the purchase of a site for a public building, a proposed amendment appropriating for the construction of the building was ruled out of order. Volume **IV**, section **3785**.
- The creation of a commission to select a site for a public building is not such a beginning of a public work as to justify an appropriation for a site. Volume **IV**, section **3763**.
- The creation of a board to select a site for a naval training station was held not to be such a beginning of a work as to authorize appropriation for the station itself. Volume **IV**, sections **3764**, **3765**.
- The selection of a site for a naval magazine was held to be in continuation of a public work or object. Volume **IV**, section **3762**.
- The making of a survey to ascertain the feasibility, etc., of a proposed public work was held not to be such a beginning of the work as would authorize an appropriation in an appropriation bill. Volume **IV**, sections **3782**, **3783**.
- The law having authorized surveys to determine the practicability of a cable of Hawaii, a proposition to authorize the construction of a cable to Hawaii and the Philippines was held not to be within the exception relating to the construction of a public work. Volume **IV**, section **3784**.

(49) Continuation of Public Works.—Repairs and Construction of Buildings, Hospitals, and Light-Houses.

- An appropriation for rent and repairs of buildings used in the public service was held to be in continuation of a public work. Volume **IV**, section **3777**.
- While alteration and adaption of public buildings belonging to the Government is held to be continuation of a work in progress within the meaning of the rule, the alteration and adaptation of a building not the property of the Government, even though under its control, was held not to be such a work in progress and subject to a point of order. Volume **VII**, section **1339**.
- The Smithsonian Institution though under the control of the United States is not Government property and an appropriation for its alteration or repair is not in order on an appropriation bill. Volume **VII**, section **1339**.
- While repairs of buildings used in the public service are held to be in continuation of a public work, improvements for such buildings do not come within the rule. Volume **VII**, section **1367**.
- A appropriation for the installation of a heating plant in a privately owned building rented by the Government is not in order on an appropriation bill. Volume **VII**, section **1368**.
- The repair of buildings other than those owned by the Government was held not to be in continuation of a public work. Volume **VII**, section **1368**.

APPROPRIATIONS—Continued.**(49) Continuation of Public Works.—Repairs and Construction of Buildings, Hospitals, and Light-Houses—Continued.**

Appropriations for repairs to public buildings are admitted in general appropriation bills as in continuation of a public work. Volume **IV**, section **3778**.

While it is in order on an appropriation bill to provide for the repair of a building it is not in order to provide for a new building in place of one destroyed. Volume **IV**, section **3606**.

While a proposition to enlarge an existing public building is in order as continuation of a public work, an appropriation for the “extension” of a building is not in order if it is in fact a proposition for a new building. Volume **VII**, section **1355**.

The erection of a new schoolhouse in the District of Columbia was held not to be in continuation of a public work. Volume **IV**, section **3790**.

While appropriations for erection of new school buildings in the District of Columbia are not in order on appropriation bills, propositions for continuing the erection of additions to existing school buildings are admitted as in continuation of public work in progress. Volume **VII**, section **1358**.

An appropriation for buildings and grounds for a new army hospital was held not to be in continuation of a public work. Volume **IV**, section **3740**.

The construction of a new building at a military post was held not to be in continuation of a public work. Volume **VII**, section **1354**.

The erection of new buildings for a naval hospital, with an authorization to acquire a new site, was held to involve legislation. Volume **IV**, section **3760**.

A proposition to repair paving originally laid by the Government in a city street adjacent to a public building was held not to be in continuation of a public work. Volume **IV**, section **3779**.

An appropriation for a new light-house not authorized by existing law was held not to be in continuation of a public work. Volume **IV**, section **3728**.

Propositions for a new “storehouse” and for “additional storage facilities” were respectively held not to be in order on an appropriation bill as in continuation of a public work. Volume **VII**, section **1357**.

An appropriation for repairs and other expenses for the care, preservation, and improvement of the public buildings and grounds of the Weather Bureau was held not to be in order on an appropriation bill. Volume **VII**, section **1367**.

An appropriation to render serviceable an additional story of a building provided for the use of the Court of Appeals of the District of Columbia was admitted as in continuation of a public work in progress, but a similar appropriation to adapt this portion of the building for accommodation of the recorder of deeds was ruled out of order. Volume **VII**, section **1370**.

A proposition to repair a public building is in order as a continuation of work in progress if such repairs are for the use and purpose for which the building was originally provided, but not otherwise. Volume **VII**, section **1370**.

To a bill containing two items appropriating for quarantine stations an amendment proposing an appropriation for another quarantine station was held to be germane. Volume **VII**, section **1372**.

An appropriation for improvement of a quarantine station, including the building of wharves, was held to be in continuation of a public work. Volume **VII**, section **1372**.

An appropriation for repairing and reconstructing the main conservatory in the Botanic Garden was held to be the continuation of a public work. Volume **VII**, section **1384**.

(50) Continuation of Public Works.—Purchase of Additional Land for Existing Work.

The purchase of adjoining land for a work already established was held to be in continuation of a public work. Volume **IV**, sections **3766–3773**. Volume **VII**, sections **1360, 1361, 1362**.

APPROPRIATIONS—Continued.**(50) Continuation of Public Works.—Purchase of Additional Land for an Existing Work—Continued.**

The purchase of additional ground and the erection of an addition to an existing building have been held to be in continuation of a public work. Volume **IV**, sections **3774, 3775**.

A proposition to purchase a separate and detached lot of land for an army target range was held not to be in continuation of a public work. Volume **IV**, section **3776**.

A proposition to purchase a separate and detached lot of land for a proving ground was held not to be in continuation of a public work. Volume **VII**, section **1350**.

An appropriation for purchase of land adjoining a rifle range was held to be in continuation of a public work in progress. Volume **VII**, sections **1360, 1362**.

An appropriation for acquisition of ground adjacent to a school in the District of Columbia was held to be in order as a continuation of a public work. Volume **VII**, section **1361**.

An appropriation for the acquisition of land contiguous to a national park and conforming to the original purpose for which the park was established was held in order as continuing a work in progress. Volume **VII**, section **1387**.

While an appropriation for the purchase of a new site for a school building in the District of Columbia is not in order on an appropriation bill, a proposition for the purchase of land adjacent to school property was admitted as in continuation of a public work in progress. Volume **VII**, section **1363**.

While the purchase of adjoining land for a work already established is held to be in continuation of a public work, the purchase of land not contiguous is not so construed. Volume **VII**, section **1364**.

(51) Continuation of public works.—Vessels for Navy, etc.

By a broad construction of the rule, the principle of which is not generally applied in other matters, an appropriation for a new and not otherwise authorized vessel of the Navy is held to be for continuance of public work. Volume **IV**, sections **3723, 3724**.

Appropriations for new vessels and otherwise unauthorized craft of the Navy, formerly held to be in order as a continuance of a public work, are not longer admissible on an appropriation bill. Volume **VII**, section **1351**.

An appropriation to complete a naval vessel, on which the work had long been interrupted, was admitted as being for the continuation of a public work. Volume **IV**, section **3707**.

An appropriation for a new vessel for use as a light-house tender is not admissible as in continuation of a public work or object. Volume **IV**, sections **3725, 3726**.

The construction of a new vessel for the coast survey was held not to be the continuation of a public work or object. Volume **IV**, section **3727**.

Provision for "continuing" conversion of naval cruisers made in a previous appropriation bill was accepted as evidence that the work was actually in progress. Volume **VII**, section **1342**.

Appropriations for alteration and repair of battleships and other naval craft, including changes in armament, are in order on appropriation bills as in continuation of public work in progress. Volume **VII**, section **1347**.

An appropriation for continuing developing of a submarine base was held to be in continuation of a work already in progress. Volume **VII**, section **1353**.

(52) Continuation of public works.—Docks.

An appropriation for a new naval dry dock, which has not been begun under authority of prior law, has been held not to be in continuation of a public work. Volume **IV**, sections **3720, 3734**.

An appropriation for a floating dry dock, not otherwise authorized by law, is not in order on the naval appropriation bill as in continuation of a public work. Volume **IV**, sections **3735, 3736**.

An appropriation for equipment of a naval dry dock already in existence was held to be in continuation of a public work. Volume **VII**, section **1352**.

APPROPRIATIONS—Continued.**(53) Continuation of Public Works.—Roads and Bridges.**

An appropriation for repair of an existing Government road to a national cemetery is in order on a general appropriation bill as in continuance of a public work. Volume **IV**, section **3798**.

An appropriation to build a new road to a national cemetery was ruled out of a general appropriation bill, as not being a legitimate continuation of the cemetery as a public work. Volume **IV**, section **3798**.

An appropriation for continuation of an authorized road in the District of Columbia, and not in excess of the limit of cost, was admitted as in continuation of a work. Volume **IV**, section **3793**.

The building of a road on land not owned by the Government was held not to be in continuation of certain Government works on a battlefield. Volume **IV**, section **3799**.

An appropriation to repair a bridge built by the Government was held in order as for continuation of a public work. Volume **IV**, section **3803**.

The construction of a bridge on a road in the District of Columbia was held to be the continuation of a public work. Volume **IV**, section **3794**. Volume **VII**, section **1389**.

An appropriation for the paving of street in the District of Columbia was held to be in continuation of a public work. Volume **VII**, section **1373**.

An appropriation for construction of bridges on Indian reservations was held not to be in continuation of work in progress. Volume **VII**, sections **1341**, **1385**.

The building of roads in Alaska under a law providing for their construction from the "Alaska fund" was held not to be such a work in progress as to warrant an appropriation on an appropriation bill. Volume **VII**, section **1340**.

An amendment providing for the completion and maintenance of roads, bridges, and trails in Alaska held not to fall within the rule that appropriations may be made on an appropriation bill for a work in progress. Volume **VII**, section **1333**.

The construction of a road, although in extension of roads already built, was held not to be in continuation of a public work. Volume **VII**, section **1150**.

An appropriation for repair of a Government-owned road was held to be in continuation of a public work. Volume **VII**, section **1365**.

An appropriation for protection of a road owned and repaired by the Government is in order on an appropriation bill as a continuation of a work in progress. Volume **VII**, section **1366**.

The improvement of a private roads though long in use and on a Government reservation, is not a work in progress within the terms of the rule. Volume **VII**, section **1341**.

(54) Continuation of Public Works.—Submarine Cables.

The construction of a submarine cable, although in extension of one already laid, was held not to be in continuation of a public work. Volume **IV**, section **3716**.

Overruling a former decision, the construction of a submarine cable in extension of one already laid was held to be in continuation of a public work. Volume **VII**, section **1348**.

A provision of an appropriation bill appropriating the receipts of a Government telegraph system to extensions of the same was held out of order. Volume **IV**, section **3601**.

(55) Continuation of Public Works.—Manufacturing Plants.

A provision for establishing a plant for the manufacture of powder was held not in order on an appropriation bill. Volume **IV**, section **3605**.

The erection of an armor-plate factory, even though on land already owned by the Government, is not the continuation of a public work. Volume **IV**, section **3739**.

A proposition to appropriate for the establishment of an armor-plate factory was held not to be in order on the naval appropriation bill, such appropriation not being in continuation of a public work or object. Volume **IV**, sections **3737**, **3738**.

An appropriation for operating and repairing a sawmill already constructed by the Government was held to be in continuation of a public work. Volume **IV**, section **3801**.

APPROPRIATIONS—Continued.**(55) Continuation of Public Roads.—Manufacturing Plants—Continued.**

An appropriation for improvements to an existing plant owned and operated by the Government was held to be in continuation of a work in progress. Volume **VII**, section **1380**.

(56) Continuation of Public Works.—General Examples of Continuing Work.

The continuation of a topographical survey was held to be the continuation of a public work. Volume **IV**, sections **3796, 3797**. Volume **VII**, section **1382**.

The continuation of the preparation of a geological map of the United States was held to be in continuation of a public work within the meaning of the rule. Volume **IV**, section **3795**.

An appropriation to continue the marking of a boundary line of the nation is in continuation of a public work. Volume **IV**, section **3717**.

A proposition to complete the marking of certain graves of soldiers was held to be in continuation of a public work. Volume **IV**, section **3788**.

An appropriation to complete a list of claims was held to be in continuation of a public work or object. Volume **IV**, section **3786**.

The distribution of card indexes, etc., by the Library of Congress was held to be in continuation of a public work. Volume **IV**, section **3717**.

The recoinage of uncurrent fractional silver coins in the Treasury was held to be in continuation of a public work or object already in progress. Volume **IV**, section **3807**.

An appropriation for current repairs and improvements in the Botanic Garden was held to be the continuation of a public work. Volume **IV**, section **3787**.

The continuation of special facilities for mail service on trunk lines of railroad has been held to be such public work or object as would justify provision on an appropriation bill. Volume **IV**, sections **3804–3806**.

An appropriation to man and equip vessels already possessed by the Coast Survey was held to be in order. Volume **IV**, section **3800**.

By and exceptional ruling a legislative provision increasing the enlisted force of the Navy was admitted on an appropriation bill (footnote). Volume **IV**, section **3723**.

A deficiency appropriation to complete a transportation of silver coin authorized for the current year was held in order, although the original appropriation may have been without authority of law. Volume **IV**, section **3604**.

An additional appropriation to enable a legally authorized commission to complete reclassification of salaries was held to be in order on an appropriation bill. Volume **VII**, section **1344**.

A provision in current law for “grading, filling, and sea-wall construction” was held to indicate a work in progress within the meaning of the rule. Volume **VII**, section **1335**.

An appropriation for installation of a refrigerating plant at the District of Columbia morgue was held to be in order as in continuance of a work in progress. Volume **VII**, section **1359**.

An appropriation for the grading and drainage of land owned by the Government in connection with a submarine base was held to be in continuation of a work in progress. Volume **VII**, section **1381**.

A proposition for the construction of a public bathing beach in the District of Columbia was ruled out of order as proposing legislation, but an appropriation to provide bathing facilities in a public park in the District was held to be in order as a continuation of work in progress. Volume **VII**, section **1390**.

The continuing of development of a public park in the District of Columbia was held to come within the rule as continuing a work in progress. Volume **VII**, section **1383**.

An appropriation for a reflecting pool in Potomac Park was held to be in continuation of a work in progress. Volume **VII**, section **1379**.

Fulfillment of a condition precedent necessary to authorize an appropriation having been certified in an official report, provision for such appropriation was held to be in order on an appropriation bill. Volume **VII**, section **1338**.

APPROPRIATIONS—Continued.**(57) Continuation of Public Works.—Matters of Intangible Nature or of Indefinite Continuance.**

The gauging of streams was held not to be a continuing work within the meaning of the rule. Volume **IV**, sections **3714, 3715, 3795**.

The continuation of an investigation of materials, coal, etc., was held not the continuation of a public work. Volume **IV**, section **3721**.

The continuation of a scientific investigation by a Department of the Government does not constitute a work in progress, but must be appropriated for under authorization of prior law. Volume **IV**, section **3719**.

Continuation of a scientific investigation by a department of the Government was held not to constitute a work in progress and to be unauthorized by law. Volume **VII**, section **1345**.

An appropriation to continue the duties of a commission was held not to be the continuation of a public work. Volume **IV**, section **3720**.

An appropriation for continuing the work of extending the foreign market of certain products was held not in order as for the continuation of a public work. Volume **IV**, section **3722**.

An appropriation for the printing of a series of opinions indefinite in continuance is not for such continuance of a public work as justifies placing it in a general appropriation bill. Volume **IV**, section **3718**.

Keeping the Congressional Library open additional hours was held not to be a continuing public work of such tangible nature as to justify provision on an appropriation bill. Volume **IV**, section **3598**.

An appropriation for free evening lectures in the school buildings of the District of Columbia was held to be without authorization of law and not in continuation of the public work of education. Volume **IV**, section **3789**.

An appropriation for supplying free schoolbooks for the use of pupils in the District of Columbia was held not to be in continuation of a work in progress. Volume **VII**, section **1377**.

An appropriation for the support and civilization of a tribe of Indians was held not to be in continuation of the work of the Indian service. Volume **IV**, section **3809**.

Unauthorized appropriations for relief of distressed Indians do not constitute such work in progress as will authorize similar items in subsequent bills. Volume **VII**, section **1136**.

A proposition to continue an extra compensation for an ordinary facility for carrying the mails is not the continuation of a public work. Volume **IV**, section **3808**.

An appropriation to continue representation of the United States at an adjourned meeting of an international conference was held not to be in continuance of a public work. Volume **VII**, section **1135**.

The phrase "public works and objects as are already in progress" refers to such tangible things as structures, bridges, buildings, etc., and not to such intangible matters as investigations, inquiries, etc. Volume **VI**, section **1337**.

Publication of a monthly periodical is not considered a continuation of a public work within the meaning of the rule. Volume **VII**, section **1343**.

Where a current law provided an appropriation for furnishing during the current fiscal year service records of naval personnel, an appropriation for continuance of that work beyond the year was held not to be in continuation of a public work. Volume **VII**, section **1346**.

A proposition to transfer Government equipment to a place not designated was held not to be in order as continuation of a work in progress. Volume **VII**, section **1386**.

(58) Continuation of Public Works.—General Decisions as to What Are Not in.

Propositions to create "necessary and special facilities" for transporting the mails on railroads are subject to the point of order that they involve change of existing law. Volume **IV**, section **3804**.

The number of enlisted men in the Marine Corps being fixed, it was held not in order to provide for additional ones in an appropriation bill. Volume **IV**, section **3585**.

APPROPRIATIONS—Continued.**(58) Continuation of Public Works.—General Decisions as to What Are Not in—Continued.**

An appropriation to purchase a site and replace thereon a town in exchange for one flooded by the reservoir of a Government irrigation project was held not to be authorized by law. Volume **VII**, section **1336**.

An amendment for an enlargement of a general service of the Government is not in order under the clause relative to the continuation of a public work or object. Volume **IV**, section **3703**.

An appropriation for additional playgrounds in the District of Columbia, not for enlargement of existing playgrounds, was held not to be in continuation of a work in progress. Volume **IV**, section **3792**.

An appropriation for the purchase of playgrounds for the District of Columbia was held not to be such a continuation of the work of the school system as would enable it to be placed in a general appropriation bill. Volume **IV**, section **3791**.

Question as to appropriations for incidental and contingent expenses in the consular and diplomatic service. Volume **IV**, section **3609**.

(59) Continuation of Public Works.—As to Maintenance, Operation, etc.

An appropriation for care and operation of Government schools was held in order as an appropriation for continuance of a public work in progress. Volume **VII**, section **1349**.

The maintenance of any physical property of the Government is in order as a continuation of a public work in progress, and express legislative authorization is unnecessary. Volume **VII**, section **1369**.

The existence of a fort used in the Government service is sufficient authorization for an appropriation for its protection and preservation. Volume **VII**, section **1369**.

Appropriations for rent of buildings used in the public service, even though isolated from the Government establishment with which connected, are in continuation of a public work and in order on appropriation bills. Volume **VII**, section **1371**.

An appropriation for appliances necessary for the proper operation of a target was held to be in continuation of a public work. Volume **VII**, section **1374**.

An appropriation for maintenance and equipment of public playgrounds in the District of Columbia was held in order on an appropriation bill as in continuation of a work in progress. Volume **VII**, section **1375**.

Appropriations for necessary repairs and expenses of playgrounds owned or maintained by the Government in the District of Columbia are in order on appropriation bills as continuations of work in progress. Volume **VII**, section **1378**.

(60) Deficiency and Supplemental.

A deficiency appropriation bill is a general appropriation bill. Volume **VII**, section **1123**.

Discussion as to what is a "deficiency" appropriation. Volume **VII**, section **1118**.

Decision as to what constitutes a deficiency appropriation. Volume **VII**, section **1121**.

Appropriations for other purposes than to supply deficiencies are not in order in a deficiency appropriation bill. Volume **VII**, sections **1118**, **1119**.

A bill making supplemental appropriation for emergency construction on public works is not a general appropriation bill. Volume **VII**, section **1122**.

An additional appropriation for a purpose authorized by law and already appropriated for was treated as a deficiency appropriation when submitted by the department and reported by the committee as such. Volume **VII**, section **1121**.

(61) Estimates for.

The statutes prescribe the method of submission to Congress of estimates of appropriations for support of the Government. Volume **VII**, section **1124**.

Only such estimates as are transmitted through channels provided by law are considered in preparation of the annual supply bills. Volume **VII**, section **1124**.

APPROPRIATIONS—Continued.**(61) Estimates for—Continued.**

The Speaker declines to refer to the Committee on Appropriations estimates or requests relating to appropriations transmitted through other than official channels. Volume **VII**, section **1124**.

The rule and the law governing the making up, transmittal, and reference of estimates for appropriations (footnote). Volume **IV**, section **3573**.

Estimates of expenses of the Government are to be prepared and submitted according to the order and arrangement of the appropriation acts of the year preceding. Volume **IV**, section **3576**.

Estimates of appropriations must be transmitted to Congress through the Secretary of the Treasury (footnote). Volume **IV**, section **3575**.

The House once passed a resolution requesting the President to cause a reduction of the Executive estimates to be made. Volume **IV**, section **3577**.

(62) General Appropriation Bills.

Enumeration of the general appropriation bills. Volume **IV**, sections **3553**, **4629**. Volume **VII**, section **1116**.

An appropriation bill covering several subjects may fairly be considered a general appropriation bill within the privilege conferred by the rule. Volume **IV**, sections **3566–3568**.

An urgent deficiency bill appropriating generally for the various departments and services of the Government was held to be a general appropriation bill within the meaning of Rule XXI. Volume **IV**, sections **3569**, **3570**.

The statutes prescribe the style of title of all appropriation bill. Volume **IV**, section **3367**.

A law directs the committees to draft the appropriation bills on the general order and arrangement of the acts of the preceding year. Volume **IV**, section **3576**.

Reference to the establishment of the system of specific appropriations (footnote). Volume **IV**, section **4032**.

For a time a rule provided that the yeas and nays should be taken on the passage of every general appropriation bill (footnote). Volume **V**, section **6011**.

For a time a rule provided for a division of the question on the engrossment of a bill appropriating money (footnote). Volume **V**, section **6144**.

A deficiency appropriation bill is a general appropriation bill. Volume **VII**, section **1123**.

Bills providing special appropriations for specific purposes are not general appropriation bills and therefore not privileged. Volume **VIII**, section **2285**.

A bill making supplemental appropriations for emergency construction on public works is not a general appropriation bill. Volume **VII**, section **1122**.

(63) Legislation.—Rule and General Principles.

A rule forbids any legislative provision in a general appropriation bill. Volume **IV**, section **3578**.

A provision changing existing law is not in order in any general appropriation bill. Volume **IV**, section **3810**.

The House established many years ago the practice of striking out of an appropriation bill in Committee of the Whole such portions as contained legislation. Volume **IV**, section **3811**.

The river and harbor bill not being one of the general appropriation bills, the rule relating to legislation on such bills does not apply to it. Volume **IV**, sections **3897–3903**.

The Committee on Appropriations is authorized to report in an appropriation bill any legislative proposition in order on such bill under the rules. Volume **VII**, section **1510**.

The simple increase of an appropriation over the amount carried for the same purpose in a former bill does not constitute a change of law. Volume **IV**, section **3586**.

A limit of cost on a public work may not be made or charged on an appropriation bill. Volume **IV**, sections **3865–3867**.

APPROPRIATIONS—Continued.**(63) Legislation.—Rule and General Principles—Continued.**

It is not in order on a general appropriation bill to establish a limit of cost on a public building. Volume **IV**, section **3761**.

It is not in order on a general appropriation bill to increase the limit of cost established by law for a public work. Volume **IV**, section **3581**.

The creation of an investigating committee to examine a Department of the Government was held not to be in order on an appropriation bill. Volume **IV**, sections **3820, 3821**.

The enactment of positive law where none exists is construed as a “provision changing existing law” such as is forbidden in an appropriation bill. Volume **IV**, sections **3812, 3813**.

The reenactment from year to year of a law intended to apply during the year of its enactment only does not relieve the provision from the point of order. Volume **IV**, section **3822**.

Provision that an appropriation to be administered “in conformity with” an act is not subject to the point of order that it is in violation of such act. Volume **VII**, section **1131**.

The fact that an item has been carried in appropriation bills for many years does not exempt it from a point of order. Volume **VII**, section **1445**.

An amendment to the description of the object for which an appropriation is made is not legislation. Volume **IV**, section **3864**.

Bills taken up for consideration from the discharge calendar are not subject to the prohibition provided by section 2 of Rule XXI interdicting consideration of appropriations not reported by the Committee on Appropriations. Volume **VII**, section **1019a**.

A proviso that an appropriation for repair of a building not within the jurisdiction of the Superintendent of the Capitol Building and Grounds should be expended under his direction was held to propose legislation. Volume **VII**, section **1370**.

A provision conferring additional authority upon an official of the Government is legislation and is not in order on an appropriation bill. Volume **VII**, section **1629**.

Legislation unobjected to and admitted on general appropriation bills may authorize appropriations in future bills. Volume **VII**, section **1269**.

A motion to recommit may not include instructions proposing legislation in a general appropriation bill. Volume **VIII**, section **2701**.

The fact that a provision has been carried in appropriation bills for many years does not exempt it from a point of order if otherwise unauthorized. Volume **VII**, section **1656**.

A statute appropriating annually a sum for a stated purpose without limitations upon the amount to be so appropriated in the future is not legislation and a paragraph in an appropriation bill increasing the amount, was held not to change existing law. Volume **VII**, section **1410**.

(64) Legislation.—Repealing, Reenacting, Amending, or Construing Existing Law.

A paragraph in an appropriation bill reenacting verbatim an existing law is not subject to a point of order. Volume **IV**, sections **3814, 3815**. Volume **VII**, section **1409**.

A paragraph in an appropriation bill reenacting a permanent provision of law may not be amended. Volume **IV**, section **3816**.

An existing law being repeated verbatim in an appropriation bill, the slightest change, as substituting “may” for “shall,” is out of order. Volume **IV**, section **3817**.

In proposing reenactment of an existing law the slightest deviation is out of order. Volume **VII**, section **1394**.

A provision purporting to reenact existing law, unless couched in the exact phraseology of the statute proposed to be reenacted, is legislation. Volume **VII**, section **1391**.

While reenactment of law is not subject to a point of order, a provision for observing a statute which has been superseded by subsequent enactments is legislation and is not in order on an appropriation bill. Volume **VII**, section **1392**.

Instance wherein the Committee of the Whole struck out a paragraph for the reenactment of a provision already permanent law. Volume **IV**, section **3818**.

APPROPRIATIONS—Continued.**(64) Legislation.—Repealing, Reenacting, Amending, or Construing Existing Law—Continued.**

A provision proposing to construe existing law is in itself a proposition of legislation and therefore not in order on an appropriation bill as a limitation. Volume **IV**, sections **3936–3938**. Volume **VII**, section **1395**.

A proposition which would in effect change a rule of the House was held to be a change of existing law and not in order on an appropriation bill. Volume **IV**, section **3819**.

A proposition to repeal law is legislation and is not in order in an appropriation bill. Volume **VII**, section **1403**.

Where the law directed the award of contracts to the lowest bidder an amendment proposing to award contracts to the two lowest bidders was ruled out of order. Volume **VII**, section **1473**.

The law authorizing the Secretary of Agriculture to sell seed for cash, a proposition authorizing him to sell for credit was held to be legislation. Volume **VII**, section **1439**.

A provision extending the operation of a statute beyond a limit of time provided by law is legislation and is subject to a point of order. Volume **VII**, section **1402**.

An amendment providing that purchase be in conformity with a section of the Revised Statutes circumscribed by later enactments was held to change existing law. Volume **VII**, section **1393**.

(65) Legislation.—May be Authorized by Special Order, etc.

The House sometimes by agreeing to a resolution reported by the Committee on Rules authorizes on a general appropriation bill legislative provisions. Volume **IV**, sections **3839–3843**.

Forms of special orders authorizing legislative provisions on general appropriation bills. Volume **IV**, sections **3260–3263**.

Pending the engrossment of a general appropriation bill an amendment proposing legislation may be authorized by the adoption of a report from the Committee on Rules. Volume **IV**, section **3844**.

Instance wherein, on a motion to suspend the rules, the House ordered the Clerk to incorporate in the engrossment of a general appropriation bill already passed a provision embodying legislation. Volume **IV**, section **3845**.

Form of special order authorizing the consideration of an amendment to a general appropriation bill. Volume **VII**, section **844**.

Form of resolution making in order proposed amendments to a general appropriation bill otherwise not germane and not previously authorized by law. Volume **VII**, section **845**.

A special order having been agreed to providing for consideration of a paragraph proposing legislation on an appropriation bill, germane amendments were held in order but amendments proposing additional legislation were not admitted. Volume **VII**, section **1397**.

(66) Legislation.—Perfecting by Amendment.

A paragraph which proposes legislation in a general appropriation bill being permitted to remain, it may be perfected by any germane amendment. Volume **IV**, sections **3823–3835**.

A paragraph in an appropriation bill changing existing law may be perfected only by germane amendments. Volume **IV**, section **3838**.

Where a paragraph which changes existing law has been by general consent allowed to remain, it may be perfected by any germane amendment. Volume **V**, section **5805**. Volume **VII**, sections **1405**, **1413**, **1414**, **1415**, **1416**.

In an appropriation bill a paragraph embodying legislation may be perfected by a germane amendment, but this does not permit an amendment which adds additional legislation. Volume **IV**, sections **3836**, **3837**, **3862**.

A paragraph changing existing law, being permitted to remain by general consent, may be perfected by germane amendments which do not provide additional legislation. Volume **VII**, sections **1420**, **1425**, **1431**, **1435**, **1600**.

APPROPRIATIONS—Continued.**(66) Legislation.—Perfecting by Amendment—Continued.**

A paragraph in an appropriation bill reenacting a provision of existing law properly limiting an appropriation previously made for the same purpose is not subject to a point of order; therefore germane amendments to such paragraphs which do not propose additional legislation are in order. Volume **VIII**, section **1393**.

A paragraph proposing legislation but permitted to remain in an appropriation bill may be perfected by germane amendments, but an amendment providing additional legislation is not in order. Volume **VII**, section **1688**.

(67) Legislation.—Limits of Cost and Contractual Authority.

A limit of cost on a public work may not be made or changed on an appropriation bill. Volume **IV**, sections **3865–3867**. Volume **VII**, sections **1446**, **1472**.

It is not in order on a general appropriation bill to establish a limit of cost on a public building. Volume **IV**, section **3761**.

It is not in order on a general appropriation bill to increase the limit of cost established by law for a public work. Volume **IV**, section **3581**.

The mere appropriation of a sum “to complete” a work does not fix a limit of cost to exclude future appropriations for a public building on a general appropriation bill. Volume **IV**, section **3761**.

A proposition to authorize a contract for future expenditures on public works was held to propose legislation. Volume **IV**, sections **3868–3870**.

A statute authorizes changes in the limit of cost of public buildings in accordance with estimates submitted by the Bureau of the Budget. Volume **VII**, section **1450**.

An appropriation for a public building in excess of the limit of cost fixed by law is not in order on an appropriation bill. Volume **VII**, section **1133**.

While a proposition to change a limit of cost is legislation, any provision of cost within that limit is not subject to that point of order. Volume **VII**, section **1448**.

Provision in an appropriation bill limiting cost of a public work, though expiring at the end of the fiscal year, is nevertheless current law, and a proposition to increase the limit so provided is legislation. Volume **VII**, section **1449**.

An appropriation for completion of a project previously authorized by law without limitation of cost was admitted as in continuation of a work. Volume **VII**, section **1388**.

An appropriation to continue a project authorized by existing law without limitation of cost was held in order on an appropriation bill. Volume **VII**, section **1335**.

(68) Legislation.—Changes in Organization of Agencies.

Under the present rule a proposition to regulate the public service, as by transfer of a portion of it from one Department to another, may not be included in an appropriation bill. Volume **IV**, section **3872**, **3873**.

An amendment proposing a reorganization of the Agricultural Department was ruled out of order on the agricultural appropriation bill. Volume **IV**, section **3876**.

An amendment proposing a change in the organization of the Navy Department was ruled out of order on the naval appropriation bill. Volume **IV**, section **3875**.

A paragraph providing for a new department in the District government was held to involve legislation. Volume **IV**, section **3874**.

Provision for an authorized service must be made in the exact terminology of the authorizing statute and the change of a single term in descriptive terminology is subject to a point of order. Volume **VII**, section **1464**.

A paragraph establishing authorized strength of Marine Corps was held to involve legislation. Volume **VII**, section **1462**.

(69) Legislation.—Public Service in General.

Provisions as to the method of doing a work have been held to involve legislation, even though the work itself might be authorized. Volume **IV**, section **3708**.

APPROPRIATIONS—Continued.**(69) Legislation.—Public Service in General—Continued.**

A proposition that certain specified amounts to be severally appropriated for certain specified objects should be to a limited extent interchangeable among those several objects was held to be in order. Volume **IV**, section **3884**.

By an exceptional ruling a legislative provision increasing the enlisted force of the Navy was admitted on an appropriation bill (footnote). Volume **IV**, section **3723**.

In appropriating for a bridge it is not in order by provisos to determine conditions of future use of it. Volume **IV**, section **3893**.

A proposition that payments for interest and sinking fund for the debt of the District of Columbia should be paid out of the revenues of the District was held to be a change of law and not in order on an appropriation bill. Volume **IV**, section **3883**.

The Committee of the Whole, overruling its Chairman, decided that a provision for the purchase and distribution of rare and valuable seeds was in order on the agricultural appropriation bill. Volume **IV**, section **3895**.

The creation of an investigating committee to examine a Department of the Government was held not to be in order on an appropriation bill. Volume **IV**, sections **3820**, **3821**.

A provision for the appointment of a commission to consider the proposed establishment of a naval training station is new legislation. Volume **IV**, section **3894**.

A paragraph constituting a commission to make plans for the reconstruction of buildings at a public institution and suspending a law authorizing a partial construction was held to be a change of law. Volume **IV**, section **3879**.

While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized on the agricultural appropriation bill, it is not in order to require cooperation of State experiment stations therein. Volume **IV**, section **3650**.

A proposition to continue the gauging of streams was held not to be authorized by the legislation creating the Geological Survey. Volume **IV**, sections **3714**, **3715**.

A proposition to investigate coal, etc., the property of the United States, and this only, was held to be authorized by the law creating the Geological Survey. Volume **IV**, section **3731**.

Provision for transfer to the Bureau of Mines of funds for scientific investigations from departments unable to handle such investigations was held not to constitute legislation. Volume **vII**, section **1470**.

A proposition to transfer funds from one department of the Government to another for purposes authorized by law was held not to involve legislation and to be in order in an appropriation bill. Volume **vII**, section **1470**.

A proposition to regulate the public service by transferring funds and activities from one department to another is not in order in an appropriation bill. Volume **vII**, section **1469**.

A proviso that an appropriation for repair of a building not within the jurisdiction of the Superintendent of the Capitol Building and Grounds should be expended under his direction was held to propose legislation. Volume **vII**, section **1370**.

(70) Legislation.—Offices and Salaries.

Where a Government agency was required by law to fix salaries in accordance with the classification act, a proposal under which it would be possible to fix salaries in excess of the maximum provided by the classification act was held to constitute legislation. Volume **vIII**, section **3435**.

Propositions to increase salaries fixed by law or appropriate for offices not established by law are subject to a point of order. Volume **IV**, sections **3664–3667**.

A proposition to increase the number of employees fixed by law was held to be legislation. Volume **vII**, section **1456**.

The House having passed a resolution from the Committee on Accounts authorizing payments to certain employees, an amendment to effect this purpose was held in order on an appropriation bill. Volume **IV**, sections **3657**, **3658**.

APPROPRIATIONS—Continued.**(70) Legislation.—Offices and Salaries—Continued.**

The House in appropriating for an employee may not go beyond the terms of the resolution creating the office. Volume **IV**, section **3659**.

Where the law fixes the amount of a salary a proposition to increase the amount is not in order on an appropriation bill. Volume **IV**, sections **3676–3679**.

The appropriation of a less sum than the amount fixed by law for a salary is not a change of law, even though a legislative provision in another portion of the bill may give it the practical effect of a reduction of the salary. Volume **IV**, sections **3681–3685**.

A motion to strike from an appropriation bill a provision for a salary authorized and fixed by law is not subject to the objection that it proposes legislation. Volume **IV**, section **3699**.

A provision making conditions as to the rate of compensation of certain employees appropriated for on an appropriation bill was held to be legislation. Volume **IV**, section **3871**.

An amendment changing the compensation received by Government employees under the law was held not in order on the Post-Office appropriation bill. Volume **IV**, section **3881**.

A change of the amount of compensation received by government employees under the law was held to be legislation. Volume **VII**, sections **1455, 1458**.

An amendment permitting a change in the manner of appointment of clerks provided for in an appropriation bill was held to be legislation. Volume **IV**, section **3880**.

A specific appropriation for designated officials of an exposition at stated salaries, there being no prior legislation establishing such positions or salaries, was held out of order, although a general appropriation for the exposition was authorized by law. Volume **IV**, section **3878**.

A provision that an appropriation be not available for increased pay of an officer under circumstances under which increase in pay was provided by law was held to be legislation and not limitation. Volume **VII**, section **1587**.

Transfer of employee from lump-sum to statutory roll is not legislation, but creation of new statutory position or increase in salary in making such transfer is subject to point of order. Volume **VII**, section **1460**.

An amendment authorizing the President to employ an emergency fund in payment for personal services in the District of Columbia was held to be a change of existing law. Volume **VII**, section **1457**.

Specific provision for office and salary formerly provided under lump-sum appropriation is not subject to a point of order. Volume **VII**, section **1453**.

A law fixing amount of salary is not repealed by a provision in an appropriation bill that amounts therein appropriated shall be “in full compensation for services for the fiscal year.” Volume **VII**, section **1406**.

(71) Legislation.—Interference With Executive Discretion, and Imposing New Duties.

A proposition to establish affirmative directions for an executive officer constitutes legislation and is not in order on a general appropriation bill. Volume **IV**, sections **3854–3859**. Volume **VII**, section **1442**.

Although a law may give an executive officer authority to do a certain thing, a provision directing him so to do is legislative in nature and not in order on a general appropriation bill. Volume **IV**, section **3853**.

A proposition directly taking away from a Department officer an authority conferred by law is not in order on a general appropriation bill, being in the nature of legislation. Volume **IV**, sections **3846, 3847**.

The law providing that the Secretary of the Navy should name battle ships, a proposition to name one in an appropriation bill was held to be legislation. Volume **IV**, section **3862**.

A requirement that the Secretary of the navy should have certain new vessels constructed in navy-yards was held to be legislation and not a limitation. Volume **IV**, section **3863**.

APPROPRIATIONS—Continued.**(71) Legislation.—Interference With Executive Discretion, and Imposing New Duties—Continued.**

A direction to the Secretary of the Navy to appoint a commission to consider the proposed establishment of a dry dock was held to be legislation and not in order on an appropriation bill. Volume **IV**, section **3877**.

While the appropriation of a lump sum for a general purpose authorized by law is in order, a specific appropriation for a particular item included in such general purpose is a limitation on the discretion of the executive charged with allotment of the lump sum and is not in order on an appropriation bill. Volume **IV**, sections **3860, 3661**. Volume **VII**, section **1452**.

A provision limiting discretion exercised under law by an executive is construed as legislation. Volume **IV**, section **240**. Volume **VII**, section **1452**.

A provision for compliance with a statutory requirement but including limitations upon Executive discretion was held to involve legislation and not to be in order on an appropriation bill. Volume **VII**, section **1343**.

Requirement that the Secretary of the Interior should provide for Eskimo support and education “through the Bureau of Indian Affairs” was held to interfere with executive authority and to constitute legislation. Volume **VI**, section **240**.

A provision prescribing method of appointing instructors in Army schools constitutes legislation and is not in order on an appropriation bill. Volume **VII**, section **1281**.

An authorization which under its terms may be ignored by the executive upon whom conferred does not interfere with official discretion and is not legislation, but a proposition to substitute “shall” for “may” in a statute conferring executive discretion is a change of law and is not in order on an appropriation bill. Volume **VII**, section **1441**.

Provision that an appropriation be expended for such purposes as an executive may deem proper was held to constitute legislation, but a provision that it should be disbursed on the approval of the executive was held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1461**.

A limitation embodying an affirmative authorization is not in order on a general appropriation bill. Volume **VII**, section **1603**.

Provisions including affirmative directions and imposing new duties are in the nature of legislation and are not in order on a general appropriation bill. Volume **VII**, section **1443**.

Requirement that an executive make allotments from a lump sum appropriation, and a requirement that he report such allotments, were alike construed as limitations upon official discretion, and held to involve changes of law. Volume **VII**, section **1442**.

A provision conferring additional authority upon an official of the Government is legislation and is not in order on an appropriation bill. Volume **VII**, section **1629**.

A provision limiting discretion vested in an executive officer is legislation and is not in order on an appropriation bill. Volume **VII**, section **1438**.

A proposition to define and establish the duties of Government employees was held to involve legislation. Volume **VII**, section **1656**.

(72) Legislation.—General Decisions as to What Constitutes.

Provision that an appropriation should not be available until the States and Territories contributed equal sums was ruled out of order on an appropriation bill. Volume **VII**, section **1172**.

An amendment authorizing payment of telegraph tolls from the contingent fund was held to constitute legislation. Volume **VII**, section **1412**.

A proposition to authorize the construction of vessels for the Navy was held to involve legislation. Volume **VII**, section **1440**.

A provision that money appropriated for prohibition enforcement be expended in the several States in proportion to population was held to constitute legislation. Volume **VII**, section **1443**.

APPROPRIATIONS—Continued.**(72) Legislation.—General Decisions as to What Constitutes—Continued.**

Overruling an interpretation formerly observed, it was held that a proposition to make payments for interest and sinking fund from the revenues of the District and the Federal Treasury jointly was a change of law and not in order on an appropriation bill. Volume **VII**, section **1454**.

Creation of a commission to investigate advisability of continuing a service formerly authorized but discontinued on expiration of statutory authorization does not authorize appropriation for continuance of the service, and an amendment providing for such appropriation is legislation. Volume **VII**, section **1459**.

A paragraph establishing authorized strength of Marine Corps was held to involve legislation. Volume **VII**, section 1462.

A proposition to print Government publications outside the Government Printing Office as held to be a change of law. Volume **VII**, section **1465**.

A proposition to make an appropriation payable from funds already appropriated was held not to be in order on an appropriation bill. Volume **VII**, section **1466**.

An affirmative provision governing contracts to be made for transmission of mail by pneumatic tubes was held to be legislation. Volume **VII**, section **1472**.

A provision prescribing qualifications available only through enactment of additional legislation was held not to be in order on an appropriation bill. Volume **VII**, section **1478**.

A provision for the purchase and distribution of seeds was held to be legislation and not in order on an appropriation bill. Volume **VII**, section **1479**.

Dicta in contravention of an established ruling, holding that a legislative provision increasing the enlisted forced of the Navy is not in order on an appropriation bill. Volume **VII**, section **1541**.

(73) Legislation.—General Decisions as to Language Held Not Involving Legislation.

A statute appropriating annually a sum for a stated purpose without limitation upon the amount to be so appropriated in the future is not legislation and a paragraph in an appropriation bill increasing the amount, was held not to change existing law. Volume **VII**, section **1410**.

An amendment striking from a paragraph a provision for the observance of an existing statute was held not to involve a change of law. Volume **VII**, section **1411**.

An amendment descriptive of the object for which an appropriation is made is not legislation. Volume **VII**, section **1445**.

While a proposition to create a commission is legislation, a provision involving appointment of a commission already authorized by law was held to be in order. Volume **VII**, section **1448**.

A paragraph fixing temporarily the enlisted strength of the Marine Corps and making appropriation for its support was held not to involve legislation. Volume **VII**, section **1463**.

A proposition to transfer a sum previously appropriated from one subhead to another in the same enactment was held not to constitute legislation. Volume **VII**, section **1468**.

A proposition to transfer funds from one department of the Government to another for purposes authorized by law was held not to involve legislation and to be in order in an appropriation bill. Volume **VII**, section **1470**.

An appropriation for helium to be transferred to the Bureau of Mines supplying the gas was held to be in order in the naval appropriation bill. Volume **VII**, section **1471**.

The mere increase of the amount carried by an appropriation bill is not legislation. Volume **VII**, section **1475**.

An amendment proposing to defer disbursements from an appropriation until a departmental regulation has been enforced does not involve legislation and is in order as a limitation on an appropriation bill. Volume **VII**, section **1581**.

A provision prescribing method of appointing instructors in Army schools constitutes legislation and is not in order on an appropriation bill. Volume **VII**, section **1281**.

APPROPRIATIONS—Continued.**(73) Legislation.—General Decisions as to Language Held Not Involving Legislation—Continued.**

A proposition for the construction of a public bathing beach in the District of Columbia was ruled out of order as proposing legislation, but an appropriation to provide bathing facilities in a public park in the District was held to be in order as a continuation of work in progress. Volume **VII**, section **1390**.

(74) Legislation.—Senate Amendments Proposing.

The principle seems to be generally accepted that the House proposing legislation on a general appropriation bill should recede if the other House persist in its objection. Volume **IV**, sections **3906–3908**.

It was very early insisted on as a principle that where one House proposes to an appropriation bill an amendment firmly resisted by the other the proposing House should recede. Volume **IV**, section **3905**.

In 1898, a Senate committee reported against a proposition to add to a general appropriation bill legislation on an important public question, holding it not proper to attempt thus to coerce the House of Representatives. Volume **IV**, section **3904**.

Instance of the loss of an appropriation bill through adherence of both Houses to their attitudes of disagreement over a section containing legislation. Volume **V**, section **6325**.

Propositions for the prevention of legislation in Senate amendments (footnote). Volume **IV**, section **3904**.

Where a Senate amendment proposes on a general appropriation bill an expenditure not authorized by law or legislation it is in order in the House to perfect it by germane amendments. Volume **IV**, sections **3913–3916**.

A proposition germane but involving legislation has sometimes been admitted as an amendment to a Senate amendment to an appropriation bill and sometimes ruled out. Volume **IV**, sections **3909–3912**.

Senate amendments proposing legislation or unauthorized appropriations on general appropriation bills, or appropriations on other bills, must, with certain exceptions, be severally submitted to the House. Volume **VII**, section **1571**.

Under the practice, it is customary for conferees to bring in a conference report on items agreed upon and report disagreement on all amendments coming within the rule and, the conference report having been agreed to, amendments in disagreement are then voted upon separately. Volume **VII**, section **1572**.

Senate amendments interdicted by clause 2, Rule XXI, are not subject to a point of order under the rule providing for a separate vote on such amendments when considered in the House, as the rule applies to conferees and their reports only. Volume **VII**, section **1572**.

A Senate amendment to an appropriation bill which does not propose legislation is not subject to amendments proposing legislation. Volume **VII**, section **1480**.

Unanimous consent to take from the Speaker's table and send to conference a bill with Senate amendments does not waive the provisions of the rule requiring separate vote in the House on certain Senate amendments to appropriation bills. Volume **VII**, section **1574**.

A conference report agreeing to Senate amendments falling within the rule, and on which the House has been given no opportunity to vote, is subject to a point of order, and a point of order sustained against any such item invalidates the entire report. Volume **VII**, section **1574**.

Instance wherein the rule requiring separate vote on Senate amendments to appropriation bills was waived by unanimous consent and conferees were authorized to agree to such amendments in conference. Volume **VII**, section **1575**.

A special order authorizing managers as provided by section 2 of Rule XX to agree to a Senate amendment making appropriations, precludes the point of order that the House has not voted separately on a new appropriation in such amendment. Volume **VII**, section **768**.

Managers on the part of the House may be authorized by resolution reported from the Committee on Rules to agree to Senate amendments carrying appropriations on a bill not originating as an appropriation bill in the House. Volume **VII**, section **1577**.

APPROPRIATIONS—Continued.**(74) Legislation.—Senate Amendments Proposing—Continued.**

A point of order will not lie against a Senate amendment providing an appropriation on a House bill at the time request is made to take the bill from the Speaker's table and sent it to conference for the reason that the bill is not then under consideration. Volume **VII**, section **1576**.

A Senate amendment extending the jurisdiction of a commission in the expenditure of money already appropriated was held not to come within the provisions of the rule requiring a separate vote by the House. Volume **VII**, section **1578**.

General appropriation bills with Senate amendments report back to the House from the Committee on Appropriations are privileged and are subject to motions authorized by the Committee. Volume **VIII**, section **3187**.

(75) Legislation, Retrenchment (Holman Rule).—The Rule and Its Interpretation.

A rule forbids any legislative provision in a general appropriation bill except such as being germane retrenches expenditures. Volume **VII**, section **1125**.

To come within the exception under which legislation is in order on an appropriation bill, an amendment must be germane, must retrench expenditure, and the language in which it is embodied must be essential to the accomplishment of the retrenchment. Volume **VII**, section **1483**.

Discussion of effect upon the Holman rule of concentrating jurisdiction over appropriations in one committee. Volume **VII**, section **1664**.

The rule admitting on general appropriation bills legislative provisions reducing expenditures should be liberally construed in the interest of retrenchment. Volume **VII**, section **1491**.

The Holman rule is to be construed liberally and any question of doubt is properly revolved in favor of an interpretation contributing to retrenchment. Volume **VII**, section **1505**.

Opinion that the rule should be strictly construed in order to avoid admission of ineligible legislative riders under guise of retrenchment on general appropriation bills. Volume **VII**, section **1510**.

The Committee on Appropriations, while without general jurisdiction to report legislation, may under the Holman rule propose germane legislation retrenching expenditure. Volume **VII**, section **1505**.

The Committee on Appropriations is authorized to report in an appropriation bill any legislation proposition in order on such bill under the rules. Volume **VII**, section **1510**.

Unlike a provision admitted as a limitation, language admitted under the Holman rule is not restricted in its application to the pending bill but may provide permanent law. Volume **VII**, section **1511**.

Discussion as to distinction between application of the Holman rule and a simple limitation. Volume **VII**, section **1525**.

A Member may offer in his individual capacity any germane amendment providing legislation on an appropriation bill if it retrenches expenditures in any one of the three methods provided by the rule. Volume **VII**, section **1566**.

The proviso of the Holman rule is supplemental to and extends rather than restricts the scope and operation of the rule, and while the Committee on Appropriations is not a legislative committee, it has the same privilege of reporting legislation on an appropriation bill retrenching expenditure as that accorded Members on the floor to propose amendments reducing expenditures in one or more of the three methods provided in the rule. Volume **VII**, section **1567**.

By retrenchment of expenditures is meant reduction in amounts taken from the Federal Treasury. Volume **VII**, section **1502**.

The true criterion is whether the necessary effort of the proposal, operating of its own force, will be a retrenchment of expenditures in one of the three ways indicated by the rule. Volume **VII**, section **1490**.

APPROPRIATIONS—Continued.**(75) Legislation, Retrenchment (Holman Rule).—The Rule and Its Interpretation—Continued.**

The rule admitting on general appropriation bills legislative provisions reducing expenditures should be liberally construed in the interest of retrenchment. Volume **VII**, section **1490**.

The rule admitting legislation to a general appropriation bill when germane and effecting retrenchment of expenditures applies to general appropriation bills only. Volume **VII**, section **1482**.

An exception to the rule forbidding legislation in a general appropriation bill admits germane legislation retrenching expenditures. Volume **VII**, section **1481**.

In deciding a question of order raised against a legislative proposition offered on an appropriation bill, the Chairman may not take into consideration opinions by officials or others as to whether it will bring about a retrenchment of expenditures, and unless the proposal shows on its face a positive and definite reduction of expenditures, the point of order will be sustained. Volume **VII**, section **1544**.

The old form of rule which admitted on appropriation bills legislation intended to retrench expenditures. Volume **IV**, section **3578**.

Under the former rule admitting legislation on appropriation bills, if it were germane and retrenched expenditures, questions used to arise over propositions to regulate the public service. Volume **IV**, sections **3885–3888**.

Interpretations of the former rule which admitted legislation to a general appropriation bill when germane and affecting retrenchment of expenditures. Volume **IV**, sections **3889–3891**.

Instance of introduction of amendments carrying legislation under the old “rider” rule. Volume **IV**, section **3892**.

A ruling in which are discussed the principles of the former rule admitting to appropriation bills legislative provisions reducing expenditures. Volume **IV**, section **3927**.

(76) Legislation, Retrenchment (Holman Rule).—Must Show Retrenchment on Its Face.

To invoke the Holman rule, a proposition must show on its face an indubitable retrenchment of expenditure, and a proposal to levy an assessment on farm-loan banks to reimburse the Government for expenditures incurred in their behalf was held not to comply with this requirement. Volume **VII**, section **1565**.

To fall within the exception to the rule forbidding legislation on an appropriation bill, a proposition must show on its face a definite and positive retrenchment of expenditures. Volume **VII**, section **1545**.

In order to comply with the requirements of the Holman rule a proposition must on its face provide for a retrenchment with clearness and certainty and provision for additional revenue to be paid into the Treasury does not necessarily provide for a reduction of expenditures. Volume **VII**, section **1543**.

Unless an amendment proposes legislation which will retrench expenditure with definite certainty, it is not in order under the Holman rule. Volume **VII**, section **1538**.

The reduction of expenditure relied upon to bring a proposition within the exception to the rule prohibiting legislation on an appropriation bill must appear as a certain and necessary result and not as a probable or possible contingency. Volume **VII**, section **1530**.

It is not sufficient that proposed legislation on an appropriation bill will probably reduce expenditure, but such reduction must appear as a necessary and inevitable result in order to admit it under the rule. Volume **VII**, section **1540**.

A retrenchment of expenditure relied upon to bring a proposition within the exception to the rule prohibiting legislation on an appropriation bill must be apparent from its terms and a retrenchment conjectural or speculative in its application, or requiring further legislation to effectuate, is not admissible. Volume **VII**, section **1527**.

APPROPRIATIONS—Continued.**(76) Legislation, Retrenchment (Holman Rule).—Must Show Retrenchment on Its Face—Continued.**

A paragraph which did not directly reduce expenditure but which unmistakably contributed to that end was held to retrench expenditures and to be in order on an appropriation bill under the exception to the rule. Volume **VII**, section **1489**.

If the obvious effect of an amendment is to reduce expenditures, it is not necessary that it provide for such reduction in definite terms and amount in order to come within the exception. Volume **VII**, section **1490**.

In passing upon the admissibility of an amendment under the Holman rule the Chair must determine from the terms of the amendment whether it would effect a reduction in expenditures. Volume **VII**, section **1566**.

In construing a legislative proposition purporting to reduce expenditures, it is not within the province of the Chair to speculate upon contingencies which might arise in the future to cause an increase rather than a decrease, and if a reduction is apparent on the face of the proposition it is in order. Volume **VII**, section **1541**.

In construing the Holman rule the Chair may not speculate or surmise as to whether a particular provision might or might not operate to retrench expenditure. Volume **VII**, section **1542**.

While the Chair in passing upon a point of order may not speculate as to the effect of legislation, he is authorized to take judicial cognizance of statutory law. Volume **VII**, section **1535**.

To come within the exception to the rule prohibiting legislation on an appropriation bill, an amendment must show on its face a retrenchment of expenditure, and the Chairman in construing such amendment may not surmise as to its possible or probable effect. Volume **VII**, section **1537**.

Though the Chairman may be personally convinced that a legislative proposal provides for retrenchment of expenditures, unless such retrenchment appears as a necessary and inevitable result of its operation, he may not hold it in order on an appropriation bill. Volume **VII**, section **1534**.

Legislation proposed on an appropriation bill must indicate by its terms an unqualified reduction of expenditures to fall within the exception to the rule. Volume **VII**, section **1542**.

In determining whether a proposition involves retrenchment of expenditures it is competent to take into consideration not only the pending paragraph or amendment but also the entire bill as well as current law and the parliamentary procedure of the House. Volume **VII**, section **1490**.

If the obvious effect of an amendment is to reduce expenditures, it is not necessary that it provide for such reduction in definite terms and amount in order to come within the exception. Volume **VII**, section **1491**.

(77) Legislation, Retrenchment (Holman Rule).—What Constitutes Retrenchment Under.

An amendment providing for 10 Cavalry regiments when the existing law provided for 15 was held to retrench expenditures within the provision of the rule, although the exact amount of the reduction could not be accurately determined. Volume **VII**, section **1491**.

A proposal to replace civilian employees with enlisted men of the Army was held to present a concrete comparison of civil-service salaries with Army pay and to effect a manifest retrenchment of expenditures. Volume **VII**, section **1492**.

A cessation of Government activities was held to involve a retrenchment of expenditures. Volume **VII**, section **1493**.

An amendment substituting for a percentage contributed to the District of Columbia a lump sum amounting to less than the aggregate of such percentage was held to be in order as a retrenchment of expenditures. Volume **VII**, section **1502**.

An amendment reducing the proportional part contributed by the Government to the expenses of the government of the District of Columbia paid jointly from District revenues and the Federal Treasury was held to reduce the amount paid out of the Treasury and to be in order on an appropriation bill. Volume **VII**, section **1519**.

APPROPRIATIONS—Continued.**(77) Legislation, Retrenchment (Holman Rule).—What Constitutes Retrenchment Under.—**
Continued.

An amendment reducing the proportion of the fund appropriated from the Federal Treasury for the government of the District of Columbia from one-half to one-fourth was held to be in order as a reduction or retrenchment of expenditure. Volume **VII**, section **1518**.

An amendment prohibiting appointment of new teachers and directing that vacancies in certain grades be filled with teachers from other grades was held to retrench expenditures. Volume **VII**, section **1517**.

An amendment prohibiting payment of fees to officials under certain contingencies was held to retrench expenditures and to come within the exception to the rule against admission of legislation on appropriation bills. Volume **VII**, section **1515**.

A proposition to discontinue payment of pensions to a specified class of pensioners is patently a proposition to reduce expenditures. Volume **VII**, section **1487**.

An amendment discontinuing the Federal Farm Board and transferring its functions to the Secretary of Agriculture was held to be in order under the exceptions admitting legislation on an appropriation bill. Volume **VII**, section **1508**.

By exceptional rulings, amendments to appropriation bills repealing existing law have been held in order as retrenchments of expenditure. Volume **VII**, section **1552**.

A proposal to limit the number of Army officers paid from an appropriation made for that purpose to a smaller number than that authorized by law, and to recommission officers in lower grades than those occupied at the time, was held to come within the exceptions provided by the rule. Volume **VII**, section **1510**.

An instance of the method of admitting legislation to an appropriation bill under the old rule permitting retrenchment legislation. Volume **IV**, section **3602**.

(78) Legislation, Retrenchment (Holman Rule).—Not Retrenching Expenditure Under.

An amendment establishing a minimum rate of compensation was held not to provide for a reduction of expenditures. Volume **VII**, section **1484**.

That the extent to which a proposal would reduce expenditures, if at all, as a subject of debate, was held not to be ground for sustaining a point of order. Volume **VII**, section **1490**.

A prohibition against the expenditure of any portion of an appropriation for the purchase of land was held not to retrench expenditure under any of the three methods provided by the rule. Volume **VII**, section **1495**.

The sale of Government property, even where proceeds of such sale are to be applied to maintenance of governmental activities, thereby reducing appropriations required for that purpose, was held not to effect a retrenchment of expenditures. Volume **VII**, section **1497**.

Authorization to an executive to reduce expenditures within his discretion is not in order as a limitation, nor does it come within the Holman rule. Volume **VII**, section **1717**.

An amendment providing for a reapportionment reducing the membership of the House was held not to be in order under the Holman rule. Volume **VII**, section **15170**.

A provision requiring clerks in the classified service to work an increased number of hours was held not to be in order under the exception to the rule prohibiting legislation on an appropriation bill. Volume **VII**, section **1566**.

An amendment proposing coinage of bullion into silver dollars, the cost to be paid from seigniorage, offered to an item in an appropriation bill providing for recoinage of uncurrent fractional silver, was held not to be in order under the Holman rule because not germane and not retrenching expenditure, the seigniorage being the property of the Government. Volume **VII**, section **1547**.

APPROPRIATIONS—Continued.**(78) Legislation, Retrenchment (Holman Rule).—Not Retrenching Expenditure Under—**
Continued.

The grant of executive discretion to effect a reduction of expenditure, without mandatory direction, does not bring a proposition within the exception to the rule prohibiting legislation on an appropriation bill Volume **VII**, section **1540**.

The payment from a fund already appropriated of a sum which otherwise would be charged against the Treasury was held not to be a retrenchment of expenditure. Volume **VII**, section **1466**.

The transfer of equipment, service, or material from one department to another was ruled not to accomplish a retrenchment of expenditure. Volume **VII**, section **1494**.

Provision that no alteration be made in certain Army regulations unless accomplished without expense to the Government was held not to retrench expenditure with sufficient certainty to come within the exception. Volume **VII**, section **1490**.

(79) Legislation, Retrenchment (Holman Rule).—Reduction in Number and Salary of Officers.

While the proposition to establish a minimum salary does not provide for retrenchment of expenditures, a proposal to fix a maximum salary below that authorized by law effects a reduction of salary and is in order on an appropriation bill. Volume **VII**, section **1498**.

Indian officials are officers of the United States and a reduction in their number and salary is a retrenchment of expenditure within the meaning of the rule. Volume **VII**, section **1503**.

A provision abolishing two offices and creating in lieu thereof one office at a smaller salary than the combined salary of the two offices abolished is a reduction of the number and salary of officers of the United States and is in order on an appropriation bill. Volume **VII**, section **1504**.

The power to modify a law infers the power to repeal it, and a proposition to repeal a section of **a law establishing certain offices, is in order on an appropriation bill. Volume VII, section 1567.**

A proposition to repeal law authorizing employment of officers was held to effect a reduction of the number and salary of officers of the United States and to be in order on an appropriation bill. Volume **VII**, section **1514**.

A proposition reducing the number of Army officers and providing the method by which the reduction should be accomplished was held to come within the exceptions under which legislation retrenching expenditure is in order on an appropriation bill. Volume **VII**, section **1511**.

A proposal to limit the number of Army officers paid from an appropriation made for that purpose to a smaller number than that authorized by law, and to recommission officers in lower grades than those occupied at the time, was held to come within the exceptions provided by the rule. Volume **VII**, section **1510**.

A proposal to consolidate offices was held to involve reduction in the number and salary of officers of the United States. Volume **VII**, section **1507**.

Proposal that an appropriation for pay of a class of employees be restricted to payment of a smaller number than authorized by law was held to involve a reduction of the number of officers of the United States. Volume **VII**, section **1506**.

Repeal of a statutory provision authorizing the offices of assistant treasurers was held to retrench expenditures by the reduction of the number and salary of the officers of the United States. Volume **VII**, section **1505**.

Provision that the duties of an officer authorized by law be performed by another officer in the service of the Government in addition to his own duties was held to reduce the number and salary of officers of the United States. Volume **VII**, section **1535**.

To bring an amendment within the rule, "reductions of amounts of money" must apply to amounts covered by the bill. Volume **VII**, section **1525**.

APPROPRIATIONS—Continued.**(80) Legislation, Retrenchment, (Holman Rule).—Not Effecting Reduction in Number and Salary of Officers.**

Language prohibiting an increase in the number of instructors at the Naval Academy was held not to come within the exceptions admitting legislation on appropriation bills. **VII**, section **1513**.

Provision for mere reduction of number and salary of officers of the United States in a paragraph complicated by other elements involving problematic reduction in expenditures does not bring a proposition within the exception admitting legislation on an appropriation bill. **VII**, section **1500**.

(81) Legislation, Retrenchment (Holman Rule).—Reduction of Compensation of Persons Paid out of the Treasury of the United States.

An amendment prohibiting counting of service as cadets at the Naval or Military Academies in computing service records of Army and Naval officers, thereby reducing longevity pay of such officers, was held to reduce the compensation of persons paid out of the Treasury of the United States and to come within the rule. **VII**, section **1516**.

(82) Legislation, Retrenchment (Holman Rule).—Reduction of Amounts Covered by Bill.

A provision that no part of an appropriation should be expended for a designated purpose was held a retrench expenditure, but a proposal, in effect repealing the law under which appropriations for that purpose were authorized, was held not to come within the exception. **VII**, section **1486**.

A reduction in the amount of money appropriated from trust funds held in the Federal Treasury is a retrenchment of expenditure and within the exception provided by the rule. **VII**, section **1503**.

An amendment proposing legislation is in order on an appropriation bill if it provides for a reduction in the amount of money covered by the bill. **VII**, section **1526**.

Amendments nominally reducing appropriations while providing for sale of tractors owned by the War Department, and for their distribution to the States, were respectively held to retrench expenditures by reduction of the amount of money covered by the bill and therefore to be in order under the rule. **VII**, section **1524**.

To a provision for the purchase of airplanes for use of the Post Office Department an amendment providing for their transfer from the War Department, while conceded to be legislation, was held to be germane and to reduce the amount of money covered by the bill and therefore to be in order on an appropriation bill under the rule. **VII**, section **1523**.

An amendment reducing the proportion of the funds appropriated from the Federal Treasury for the government of the District of Columbia from one-half to one-fourth was held to be in order as a reduction or retrenchment of expenditure. **VII**, section **1518**.

An amendment reducing the proportional part contributed by the Government to the expenses of the government of the District of Columbia paid jointly from District revenues and the Federal Treasury was held to reduce the amount paid out of the Treasury and to be in order on an appropriation bill. **VII**, section **1519**.

(83) Legislation, Retrenchment (Holman Rule).—Must be Germane.

An amendment proposing legislation on an appropriation bill and retrenching expenditure must be germane. **VII**, section **1548**.

The Committee on Appropriations, while without general jurisdiction to report legislation, may under the Holman rule propose germane legislation retrenching expenditure. **VII**, section **1505**.

(84) Legislation, Retrenchment (Holman Rule).—When Accompanied by Additional Legislation.

Affirmative directions coupled with an amendment retrenching expenditure were held to be so associated with the retrenchment as to be admissible. **VII**, section **1496**.

APPROPRIATIONS—Continued.**(84) Legislation, Retrenchment (Holman Rule).—When Accompanied by Additional Legislation—Continued**

To come within the provisions of the Holman rule an amendment must include legislation necessary to accomplish the reduction proposed in the pending bill; otherwise permanent substantive legislation is not in order. **VII, section 1569.**

A proposition to reduce a total in an appropriation bill is in order without reference to the Holman rule and nonretrenching legislation is not admissible merely because associated therewith. **VII, section 1560.**

In order to comply with the provisions of the Holman rule, an amendment must include only such legislation as is directly instrumental in accomplishing the reduction of expenditures proposed. **VII, section 1550.**

A provision that no part of an appropriation should be expended for a designated purpose was held to retrench expenditure, but a proposal, in effect repealing the law under which appropriations for that purpose was authorized, was held not to come within the exception. **VII, section 1486.**

A provision admissible under the rule was ruled out of order an account of accompanying legislation. **VII, section 1383.**

Legislation accompanying an amendment reducing expenditures must be so related as to contribute directly to such reduction. **VII, section 1537.**

While unrelated legislation coupled with a retrenchment is not in order on an appropriation bill, a single clause or sentence which, if isolated, could not be constructed as reducing expenditure but which forms a constructive and integral part of the paragraph, is not subject to a point of order. **VII, section 1558.**

A proposition admissible under the exception admitting retrenchments of expenditure, but accompanied by additional legislation not falling within the exception by contributing directly to the retrenchment, is not in order on an appropriation bill. **VII, section 1555.**

An amendment reducing the figures of an appropriation, but adding unrelated legislation was held not to retrench expenditures in the sense contemplated by the rule. **VII, section 1547.**

Provision for reduction of expenditures does not admit accompanying legislation not directly contributing to the reduction and essential to its operation. **VII, section 1546.**

Legislation coupled with a provision reducing an appropriation but not directly contributing to the reduction was held not to be in order on an appropriation bill. **VII, section 1543.**

(85) Legislation, Retrenchment (Holman Rule).—The Proviso.

Germane amendments retrenching expenditures are in order on general appropriation bills when reported by committees having jurisdiction. **VII, section 1125.**

Supplementing the exception to the prohibition imposed by clause 2 of Rule XXI, it is in order to further amend a general appropriation bill by germane amendment retrenching expenditure reported by the committee having jurisdiction of the subject matter of the amendment. **VII, section 1561.**

In order to come within the proviso of clause 2 of Rule XXI, a proposition must come officially from the committee having jurisdiction and not as an integral part of an appropriation bill reported by the Committee on Appropriations. **VII, section 1562.**

The proviso of clause 2, Rule XXI, applies only to amendments duly submitted by committees authorized to report them and not to provisions originally incorporated in the bill or amendments proposed by members in individual capacity. **VII, section 1563.**

The proviso of the Holman rule was held to apply to amendments rather than to provisions reported by the committee in the original bill. **VII, section 1565.**

The Committee on Appropriations is not a legislative committee, and therefore is not authorized to report a legislative provision under the proviso of the Holman rule. **VII, section 1566.**

APPROPRIATIONS—Continued.**(85) Legislation, Retrenchment (Holman Rule).—The Proviso—Continued**

A provision reported in the bill, and within the jurisdiction of the committee reporting it, but stricken out on a point of order in Committee of the Whole, was held to have been authorized by the committee within the meaning of the proviso in the Holman rule when subsequently offered, with the offending matter omitted, by a Member acting in individual capacity. Volume **VII**, section **1568**.

The report of a committee as provided for in the proviso of the Holman rule must be formally authorized by the committee and presented in writing. Volume **VII**, section **1569**.

To be in order under the proviso of clause 2, Rule XXI, an amendment must be authorized by the committee having jurisdiction of the subject matter proposed. Volume **VII**, section **1570**.

The proviso of the Holman rule is supplemental to and extends rather than restricts the scope and operation of the rule, and while the Committee on Appropriations is not a legislative committee, it has the same privilege of reporting legislation on an appropriation bill retrenching expenditure as that accorded Members on the floor to propose amendments reducing expenditures is one or more of the three methods provided in the rule. Volume **VII**, section **1567**.

(86) Limitations on General Appropriations Bills.—Theory and Principles of.

The House may by limitation provide that no part of an appropriation shall be used for a certain purpose. Volume **IV**, sections **3917–3926**. Volume **VII**, section **1689**.

As an appropriation bill may deny an appropriation for a purpose authorized by law, so it may by limitation prohibit the use of money for part of the purpose, while appropriating for the remainder of it. Volume **IV**, section **3936**.

It is in order by a limitation on an appropriation bill to withhold the appropriation from a designated object, although contracts may be left unsatisfied thereby. Volume **IV**, section **3987**.

A limitation may deny an appropriation for a purpose authorized by law. Volume **VII**, section **1710**.

Prohibition of use of funds from an appropriation for a purpose authorized by law was held to be a limitation. Volume **VII**, section **1656**.

A provision prohibiting expenditure of an appropriation for a certain purpose is merely a limitation and is not subject to a point of order. Volume **VII**, section **1652**.

A paragraph is an appropriation bill reenacting a provision of existing law properly limiting an appropriation previously made for the same purpose is not subject to a point of order; therefore germane amendments to such paragraphs which do not propose additional legislation are in order. Volume **VII**, section **1393**.

An amendment is not necessarily germane because presented in the form of a limitation. Volume **VIII**, sections **3033, 3036**.

The House may by limitation decline to appropriate for one purpose authorized by law while providing for another authorized under the same enactment. Volume **VII**, section **1595**.

Decisions on the “stop-watch” or “Taylor system” and “bonus” or “premium” provisions proposed on general appropriation bills. Volume **VII**, section **1609**.

A provision restricting the purpose for which the appropriation was made was held to be legislation, but an amendment providing that no part of the appropriation should be used to achieve the same purpose was admitted as a limitation. Volume **VII**, section **1639**.

A proposition designating the object or manner of an expenditure is legislation and not in order on an appropriation bill, but a proposal to deny use of such appropriation for a designated purpose is a proper limitation. Volume **VII**, section **1703**.

The purpose rather than the form of a proposed limitation is the proper criterion by which its admissibility should be judged, and if its purpose appears to be a restriction of executive discretion to a degree that may be fairly termed a change in policy rather than a matter of administrative detail it is not in order. Volume **VII**, section **1691**.

APPROPRIATIONS—Continued.**(86) Limitations on General Appropriation Bills.—Theory and Principles of—Continued.**

An amendment denying the use of an appropriation for a designated purpose is a simple limitation and in order on appropriation bill. Volume **VII**, section **1580**.

The House may be limitation on a general appropriation bill provide that an appropriation shall be available contingent on a future event. Volume **VII**, section **1579**.

Questions of order relating to limitations are construed strictly and any doubt as to whether legislation is involved will be construed in favor of the point of order. Volume **VII**, section **1707**.

Provisions that no part of an appropriation be available for payment of cash reward in addition to wages have been variously incorporated in general appropriation bills without objection, ruled out on points of order, and held to be admissible as limitations. Volume **VII**, section **1609**.

Formerly amendments establishing limitations were considered legislative in character. Volume **IV**, section **4016**.

(87) Limitations on General Appropriation Bills.—Must Apply Solely to Pending Appropriation.

A limitation must apply solely to the pending appropriation. Volume **VII**, section **1600**.

A limitation may be attached only to the money of the appropriation under consideration, and may not be made applicable to moneys to be appropriated in other acts. Volume **IV**, sections **3927**, **3928**. Volume **VII**, sections **1495**, **1720**.

A limitation applies only to an appropriation and not to Indian trust funds. Volume **IV**, sections **4017**, **4018**.

As to the line of distinction between limitations applying only to the appropriation for the year and a permanent provision of law. Volume **VI**, section **3930**.

No limitation of expenditure is possible upon a paragraph which does not propose an appropriation. Volume **VII**, section **1636**.

A limitation may be attached only to the money of the appropriation under consideration, and may not be made applicable to moneys appropriated or to be appropriated in other acts. Volume **VII**, section **1603**.

In order to qualify as a limitation, an amendment to an appropriation bill must apply to the appropriation under consideration, and propositions to apply such limitations to funds appropriated in other acts are not in order. Volume **VII**, section **1604**.

A limitation must apply solely to the current appropriation and may not be admitted as a permanent provision of law. Volume **VII**, section **1702**.

It is not in order to propose by way of limitation propositions on subjects different from that under consideration. Volume **VIII**, section **3034**.

A different subject from that under consideration may not be proposed under the guise of a limitation. Volume **VII**, section **3035**.

Limitations applying to funds other than those provided in the pending bill are not in order. Volume **VII**, section **1602**.

A limitation must apply solely to an appropriation carried in the pending bill and not to the use of property purchased with such appropriation. Volume **VII**, section **1601**.

Although a limitation may be in order as applied to appropriations in the pending bill, it may not be extended to appropriations not within the bill. Volume **VII**, section **1597**.

An amendment proposing a limitation applicable to all appropriations carried in a bill may properly come as a separate paragraph at the end of the bill. Volume **VII**, section **1591**.

An amendment failing to affect appropriations or expenditure of moneys provided in the bill, though offered as a limitation, is not in order on a general appropriation bill. Volume **VII**, section **1596**.

APPROPRIATIONS—Continued.**(88) Limitations on General Appropriation Bills.—Legislation Not To Be Proposed in Form of.**

Legislation may not be proposed under the form of a limitation. Volume **IV**, sections **3931–3935**.

Volume **V**, section **5903**. Volume **VII**, sections **1607, 1629, 1636**.

The fact that a paragraph on an appropriation bill would constitute legislation for only a year does not make it admissible as a limitation. Volume **IV**, section **3936**.

A provision proposing to construe existing law is in itself a proposition of legislation and therefore not in order on an appropriation bill as a limitation. Volume **IV**, sections **3936–3938**.

The language of limitation prescribing the conditions under which the appropriation may be used may not be such as, when fairly construed, would change existing law. Volume **IV**, sections **3976–3983**.

Where a proposition might be construed by the executive officer as a modification of a statute it may not be held as such a limitation of appropriation as is permissible on a general appropriation bill. Volume **IV**, section **3984**. Volume **VII**, sections **1706, 1707**.

It has generally been held that provisions giving a new construction of law or limiting the discretion which has been exercised by officers charged with the duties of administration are changes of law within the meaning of the rule. Volume **IV**, section **3974**.

A limitation must apply solely to the present appropriation and may not be made as a permanent provision of law. Volume **IV**, section **3929**.

The language of limitation prescribing the conditions under which the appropriation may be used may not be such as, when fairly construed, would change existing law. Volume **VII**, section **1705**.

Whenever a purported limitation makes unlawful that which before was lawful or makes lawful that which before was unlawful it changes existing law and is not in order on an appropriation bill. Volume **VII**, section **1606**.

A provision which under the guise of limitation repeals or modifies existing law is legislation and is not in order on an appropriation bill. Volume **VII**, section **1628**.

Where a limitation requires the violation of existing law in order to make an appropriation available, it constitutes legislation and is not in order on an appropriation bill. Volume **VII**, section **1630**.

(89) Limitations on General Appropriation Bills.—“Unless,” “Until,” “Hereafter,” “Except.”

Discussion of professed limitations accompanied by the words “unless,” “except,” “until,” “if,” and “however.” Volume **VII**, section **1706**.

An amendment forbidding expenditure of an appropriation “unless” action contrary to existing law is taken is legislation and is not in order as a limitation. Volume **VII**, section **1632**.

Provision that no part of an appropriation be used in payment of salary of any clerk required to work longer than a specified number of hours per month was held to be a limitation, but amendment providing that no part of the appropriation be so expended “unless” such clerks receive additional compensation was ruled out as legislation. Volume **VII**, section **1633**.

Provision that no appropriation provided in the bill be available for any national park “unless” park concessions were granted to highest bidder therefor was held to be legislation and not in order on an appropriation bill. Volume **VII**, section **1640**.

Provision that no part of an appropriation be paid for messenger service unless to messenger submitting lowest bid, was held in order on an appropriation bill. Volume **VII**, section **1654**.

A provision that no part of an appropriation be available unless a certain proclamation should have been issued was admitted as a limitation. Volume **VII**, section **1712**.

Professed limitations not to become effective “unless” or “until” affirmative action was taken were held to be out of order in an appropriation bill. Volume **VII**, section **1634**.

APPROPRIATIONS—Continued.**(89) Limitations on general Appropriation Bills.—“Unless,” “Until,” “Hereafter,” “except”—Continued.**

- An amendment withholding expenditure of appropriations “unless” and “until” certain books were supplied free to the National Library for the Blind was ruled out of order. Volume **VII**, section **1634**.
- An amendment denying use of an appropriation until an executive should take affirmative action was held to constitute legislation. Volume **VII**, section **1684**.
- Provision withholding an appropriation until the Secretary of the Navy ordered an annual inventory was ruled out of order. Volume **VII**, section **1684**.
- Provision that no part of an appropriation be used until certain employees were reinstated in positions from which discharged was held not to be in order on an appropriation bill. Volume **VII**, section **1683**.
- An amendment prohibiting expenditure of money appropriated for education of aliens for citizenship, until arrearage connected with granting of citizenship was disposed of, was, held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1584**.
- Provision that an appropriation (carried in a paragraph presenting provisions legislative in character) be not available until the Court of Claims passed on certain pending questions was held to be a limitation. Volume **VII**, section **1583**.
- An amendment rendering an appropriation (included in a paragraph proposing legislation) inoperative until Congress should have made certain determinations was held to be in the nature of a limitation. Volume **VII**, section **1582**.
- An amendment proposing to defer disbursements from an appropriation until a departmental regulation has been enforced does not involve legislation and is in order as a limitation on an appropriation bill. Volume **VII**, section **1581**.
- An instance in which it was held in order to provide by way of limitation that an appropriation should not become available until a day certain unless a designated bill became law prior to that time. Volume **VII**, section **1579**.
- Provision that an appropriation should not be available until the States and Territories contributed equal sums was ruled out of order on an appropriation bill. Volume **VII**, section **1172**.
- Prohibition of expenditures “until” designated affirmative action is taken constitutes legislation and is not in order as a limitation. Volume **VII**, section **1172**.
- The president being authorized by law to call an international conference, an amendment denying use of an appropriation until such conference was called was held in order as a limitation, while an amendment making the appropriation available until the calling of such conference was ruled out of order. Volume **VII**, section **1718**.
- Opinion as to the use and effect of the terms “hereafter” and “whenever” in the enactment of permanent law. Volume **VII**, section **1189**.
- A provision to be in force “hereafter” was held to involve legislation and ruled out of order on an appropriation bill. Volume **VII**, section **1250**.
- The term “hereafter,” as applied to the provisions of an appropriation bill, was held to enact permanent law. Volume **VII**, section **1396**.
- An amendment inserting the word “hereafter” was held to propose permanent law and as such to be forbidden in an appropriation bill. Volume **VII**, section **1397**.
- A proposal that no part of an appropriation be used for transportation of troops “except” by the cheapest route was construed as legislation. Volume **VII**, section **1641**.
- An amendment providing that 50 percent of an appropriation should not be available except for repairs of vessels at Government shipyards was ruled out of order, but an amendment denying the use of more than 50 percent of the appropriation for repair of vessels in private shipyards was admitted as a limitation. Volume **VII**, section **1703**.
- Provision that no part of an appropriation be used for a designated purpose except upon certain contingency was held to be a limitation. Volume **VII**, section **1653**.

APPROPRIATIONS—Continued.**(90) Limitations on General Appropriation Bill.—As to Restriction on Executive Discretion.**

A limitation must be on the appropriation and not on the functions of an executive. Volume **IV**, sections **3957–3966**. Volume **VII**, sections **1673, 1678, 1689**.

The House may provide that no part of an appropriations shall be used in a certain way, even though executive discretion be thereby restricted. Volume **IV**, sections **3968–3972**.

A limitation must be on the appropriation and not on executive discretion. Volume **VII**, sections **1679–1685**.

An amendment limiting the discretion of an executive is not in order as a limitation, Volume **VII**, section **1674**.

A limitation negatively restricting executive discretion was held to be in order on an appropriation bill. Volume **VII**, section **1700**.

A proposition to restrict administrative functions vested in an executive by law is legislation and is not in order as a limitation. Volume **VII**, section **1696**.

While a limitation may negative an activity, limitation on the discretion of an executive charged with duties of administration is legislation. Volume **VII**, section **1693**.

A provision preventing an executive from doing what he otherwise might lawfully do or requiring him to do what he otherwise is not required by law to do, is not to be construed as a limitation, and is not in order on an appropriation bill. Volume **VII**, section **1608**.

An instance in which the committee, overruling the chairman, held in order as a limitation a provision indirectly changing existing law through restrictions upon executive discretion. Volume **VII**, section **1664**.

A limitation on the discretion exercised under law by an executive is a change of law. Volume **VII**, section **1437**.

An amendment couched in the language of a limitation but controlling executive discretion is legislation and is not in order of a general appropriation bill. Volume **VII**, section **1704**.

While the appropriation of a lump sum for a general purpose authorized by law is in order, a specific appropriation for a particular item included in such general purpose is a limitation on the discretion of the executive charged with allotment of the lump sum and is not in order on an appropriation bill. Volume **VII**, section **1452**.

An amendment to an appropriation bill proposing a limitation of authority exercised by an executive rather than a limitation on expenditure was held not to be in order. Volume **VII**, section **1675**.

While a limitation may not involve change of existing law or affirmatively restrict executive discretion, it may properly effect a change of administrative policy and still be in order. Volume **VII**, section **1694**.

Where discretion as to the number of clerks to be employed was vested in an executive a proposal to limit that number rather than the appropriation was held not to be admissible as a limitation. Volume **VII**, section **1673**.

Provision that pneumatic-mail service be not extended to cities other than those under contract was held to limit the discretion of the Postmaster General and to be legislation within the meaning of the rule. Volume **VII**, section **1693**.

Conflicting decisions on amendments denying use of appropriations for payment of officers engaged in supervising stop-watch operations in Government plants. Volume **VII**, section **1609**.

Provision that an appropriation be not available for any naval district unless its commandant be also commandant of a navy yard was held to be a negative prohibition on the use of money and not an affirmative direction to an executive. Volume **VII**, section **1698**.

A proper limitation is negative and in the nature of a veto, and when it assumes affirmative form by direction to an executive in the discharge of his duties under existing law it ceases to be a limitation and becomes legislation. Volume **VII** section **1606**.

The House may provide that no part of an appropriation shall be used in a certain way, even though executive discretion be thereby negatively restricted. Volume **VII** section **1699**.

APPROPRIATIONS— Continued.**(91) Limitations on General Appropriation bills.—May not Include Affirmative Directions.**

The limitation permitted on a general appropriation bill must be in effect a negative prohibition on the use of the money, not an affirmative direction to an executive officer. Volume **IV**, section **3975**.

An affirmative direction may not be coupled with a limitation. Volume **VII**, section **1637**.

A limitation embodying an affirmative authorization is not in order on a general appropriation bill. Volume **VII**, section **1603**.

A limitation may not give affirmative directions, impose new duties, or be accompanied by language not directly limiting the appropriation. Volume **VII** section **1706**.

A proper limitation does not interfere with executive discretion or require affirmative action on the part of Government officials. Volume **VII**, section **1676**.

An amendment may not under guise of limitation provide affirmative directions which impose new duties. Volume **VII**, sections **1672, 1706**.

A limitation on an appropriation bill is objectionable to the rules if it palpably limits executive discretion by imposing additional duties not required by law. Volume **VIII**, section **2703**.

A provision conferring additional authority upon an official of the Government is legislation and is not in order on an appropriation bill. Volume **VII**, section **1629**.

The House may, by limitation on a general appropriation bill, forbid the use of any of the money for a specific service, but it may not grant the whole appropriation for the general service on condition that an executive officer shall take a certain course as to the specific service. Volume **IV**, sections **3985, 3986**.

While a limitation may provide that no part of an appropriation shall be used except in a certain way, yet the restriction of executive discretion may not go to the extent of an imposition of new duties. Volume **IV**, section **3973**.

A limitation is negative in its nature and may not include positive enactments establishing rules for executive officers. Volume **IV**, sections **3955, 3956, 3967**.

A proposition to establish affirmative directions for an executive officer constitutes legislation, and is not in order on a general appropriation bill. Volume **IV**, sections **3854–3859**.

It is not in order to offer on a general appropriation bill under guise, of limitation an amendment providing affirmative direction to an executive. Volume **VII**, section **1671**.

An amendment incorporating with a limitation on an appropriation an affirmative direction to an executive is not in order on an appropriation bill. Volume **VII**, section **1688**.

A limitation upon an appropriation must not be accompanied by provisions requiring affirmative action by an executive in order to render the appropriation available. Volume **VII**, section **1686**.

Making an appropriation available upon condition that affirmative action be taken is legislation and not limitation. Volume **VII**, section **1683**.

An amendment affirmatively interfering with executive direction is not in order as a limitation. Volume **VII**, sections **1677, 1678**.

An amendment proposing an affirmative direction through use of a double negative, though in the form of a limitation, was held not to be in order on a general appropriation bill. Volume **VII**, section **1690**.

An amendment forbidding use of an appropriation in dissemination of propaganda, and ruled out of order because coupled with affirmative directions to officials was held to be in order when reoffered without the accompanying directions. Volume **VII**, section **1689**.

While curtailment of expenditure from an appropriation is limitation, curtailment of authorized expenditure from such appropriation at the discretion of an executive couples legislation with limitation is not in order. Volume **VII**, sections **1708**.

APPROPRIATIONS—Continued.**(92) Limitations on General Appropriation Bills.—As Related to Purchases and Construction Generally.**

An amendment prohibiting the use of any part of an appropriation in the construction of a public building for which stone was quarried outside of the section in which the building was to be erected was admitted as a limitation. Volume **VII**, section **1711**.

It is in order in appropriating for the construction of a building to provide by limitation that the money shall be used only for a building of certain dimensions. Volume **IV**, section **4008**.

A proviso that money for a bridge shall not be available until a corporation using it shall fulfill certain conditions was admitted as a limitation. Volume **IV**, section **3998**.

In appropriating for a bridge, it is not in order by provisos to determine conditions of future use of it. Volume **IV**, section **3893**.

Provision that no part of an appropriation be used in construction of ships under the cost-plus contract plan is a limitation. Volume **VII**, section **1586**.

Provision that no part of an appropriation be used for construction of vessel at a cost exceeding \$900,000 was held to be a limitation. Volume **VII**, section **1643**.

A requirement that the Secretary of the Navy should have certain new vessels constructed in navy-yards was held to be legislation and not a limitation. Volume **IV**, section **3863**.

Provisions that bids for the construction of naval vessels should be limited to bidders having adequate plants and not having over a specified number of vessels under contract were held to be in the nature of legislation and not limitations. Volume **IV**, section **4007**.

A provision for the construction of an armor-plate factory was held not in order as part of a limitation on an appropriation for armor plate. Volume **IV**, sections **4012**, **4013**.

A provision that no part of an appropriation be expended for a reformatory within a radius of 10 miles of Mount Vernon except the one now located at Occoquan, was held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1710**.

Provision that no money appropriated in the pending bill be used in purchase of American goods when known to the Secretary that they were sold abroad at a lower price than in America was held to be a limitation and not legislation. Volume **VII**, section **1695**.

An amendment inhibiting the use of an appropriation for the purchase of commodities not produced in the United States was held in order as a limitation. Volume **VII**, section **1697**.

In the absence of statutory provision to the contrary, an amendment prohibiting use of an appropriation for the purchase of headstones other than stones of a specified design was held to be in order as a limitation. Volume **VII**, section **1699**.

A proposition to limit range of materials purchasable under an enactment is not a limitation on an appropriation and involves legislation, but may be admitted in the form of a provision denying use of an appropriation for purchase of specified materials. Volume **VII**, section **1702**.

Provision that not part of an appropriation be used in purchase of typewriters at price in excess of certain standard is a limitation and in order on appropriation bill. Volume **VII**, section **1713**.

A paragraph providing that an appropriation should be expended in the United States, an amendment providing for purchase in the world's markets on the best terms was held in order. Volume **IV**, section **4001**.

A provision that no greater price should be paid for armor plate than was paid in this country by other Governments for the same article was held to be a limitation. Volume **IV**, sections **4009–4011**.

A proposed amendment limiting the kinds of seeds to be purchased under the law was held to be a change of law and not a limitation. Volume **IV**, section **4014**.

APPROPRIATIONS—Continued.**(92) Limitations on General Appropriation Bills.—As Related to Purchases and Construction Generally—Continued.**

Contravening a statute directing the purchase of supplies from the lowest bidder, an amendment prohibiting purchase of such supplies produced outside of the United States was ruled out of order. Volume **VII**, section **1696**.

While formerly construed as limitation, the latest decisions hold amendments prohibiting expenditures from appropriations in purchasing commodities at prices in excess of estimated cost of manufacture in Government plants to involve legislation. Volume **VII**, section **1679**.

(93) Limitations on General Appropriation Bills.—As Related to Salaries Generally.

In appropriating for per diem employees whose compensation is fixed per diem by law with no exception as to Sundays, the withholding of appropriation for Sunday pay is a limitation rather than a change of law. Volume **IV**, section **3996**.

An amendment forbidding payment of salary authorized by law from any part of an appropriation to a designated individual was held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1670**.

A limitation establishing a maximum as to number and salary of employees otherwise without statutory limitation under a lump-sum appropriation was held to be in order on an appropriation bill. Volume **VII**, section **1656**.

Denial of use of an appropriation for payment of salaries of employees of the Department of Agriculture who forecast the price of agricultural products was construed as a proper limitation and in order on an appropriation bill. Volume **VII**, section **1663**.

A provision that no part of an appropriation be used to pay salaries of commissioners whose confirmation was being reconsidered by the Senate was held to be in order as a limitation on an appropriation bill. Volume **VII**, section **1645**.

A provision that no part of an appropriation be expended for salary in connection with suit to enjoin labor unions from striking was held to be in order as a limitation. Volume **VII**, section **1638**.

A provision that no part of an appropriation be paid any employee failing to perform duties delegated to him in connection with the enforcement of a certain law was held to be a limitation and in order on an provision bill. Volume **VII**, section **1661**.

While Congress may decline to appropriate for a salary fixed and conditioned by law, yet it is not in order on an appropriation bill to make the payment conditional on certain contingencies which would change the lawful mode of payment. Volume **IV**, sections **3989–3992**.

A provision that no part of an appropriation be used in paying Government employees a larger wage than that paid for the same work in private industry was held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1591**.

A provision that no part of an appropriation be used for payment of any employee not appointed through the civil service was held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1593**.

Provision that no contract for clerks be made for any amount in excess of the sum appropriated for that purpose was held to be legislation, but provision that no part of the appropriation be applied to payment of clerks in excess of a stated number was admitted as a limitation. Volume **VII**, section **1674**.

Provision that no part of an appropriation be used in payment of employees receiving less than discretion vested in those authorized to fix salaries and therefore not in order. Volume **VII**, section **1704**.

A provision that in disbursement of an appropriation in accordance with an existing law the average of salaries for any grade shall not exceed the average of rates specified by the law for that grade was held to be in order as a limitation. Volume **VII**, section **1666**.

APPROPRIATIONS—Continued.**(93) Limitations on General Appropriation Bills.—As Related to Salaries Generally—**
Continued.

Where no limit of salary was provided by statute, a provision limiting the amount of compensation of employees in the Attorney General's office to be paid from an appropriation was admitted as a limitation on an appropriation bill. Volume **VII**, section **1659**.

In the absence of a law fixing maximum compensation of employees, a provision establishing a maximum was held to be in order as a limitation. Volume **VII**, section **1659**.

A specific appropriation for designated officials of an exposition at stated salaries, there being no prior legislation establishing such positions or salaries, was held out of order, although a general appropriation for the exposition was authorized by law. Volume **IV**, section **3878**.

A provision repealing an existing limit of salary was held to be legislation and not a limitation. Volume **VII**, section **1642**.

A provision that an appropriation be not available for increased pay of an officer under circumstances under which increase in pay was provided by law was held to be legislation and not a limitation. Volume **VII**, section **1587**.

(94) Limitations on General Appropriation Bills.—As Related to Salaries in the Military and Naval Service.

A provision that an appropriation for the pay of volunteer soldiers should not be available longer than a certain period after the ratification of a treaty of peace was held to be a limitation merely. Volume **IV**, section **4004**.

A provision that no part of an appropriation for pay of retired army officers should go to one receiving pay for services as a civil employee was held to be a limitation. Volume **IV**, section **3945**.

Provision that no part of an appropriation be used in payment of salaries of Army officers who prohibit social intercourse between officers and enlisted men is a limitation and in order on an appropriation bill. Volume **VII**, section **1714**.

Provision that no part of an appropriation be available for pay of officers recruiting boys under age was held in order as a limitation. Volume **VII**, section **1664**.

Provision that no funds appropriated by a bill be expended for pay of any retired officer of the United States assigned to duty as a military attaché at any legation abroad was held to be a limitation. Volume **VII**, section **1668**.

An amendment denying compensation to veterans of the military service receiving pay in excess of a specified amount was held to be in order as a limitation. Volume **VII**, section **1669**.

An amendment denying funds for the support of any compulsory military course or for the pay of officers at any school where such course was maintained was held to be a proper limitation. Volume **VII**, section **1694**.

An amendment providing that no part of an appropriation be expended in payment of officers detailed as instructors at the Naval Academy to supersede civilian instructors under specified conditions was ruled out when coupled with amendments carrying provisos embodying affirmative legislation but admitted when reoffered without the provisos. Volume **VII**, section **1667**.

A provision that no part of an appropriation be used for payment of troops stationed in certain geographical locations was held to be a limitation and in order on an appropriation bill. Volume **VII**, section **1657**.

A provision that an appropriation be not available for increased pay of officers not attached to an airplane squadron regularly required to fly was held to be in order on an appropriation bill. Volume **VII**, section **1590**.

Provision that no portion of an appropriation be used for pay of reserve officers is a limitation. Volume **VII**, sections **1587**, **1588**.

APPROPRIATIONS—Continued.**(94) Limitations on General Appropriation Bills.—As Related to Salaries in the Military and Naval Service—Continued.**

Provision that no part of an appropriation be available for pay of any midshipman whose appointment would result in exceeding an allowance of three for each Member was held to be a limitation and in order in an appropriation bill. Volume **VII**, section **1719**.

(95) Limitations on General Appropriation Bills.—As Related to Qualifications of Recipients of an Appropriation.

An amendment qualifying or limiting a class of beneficiaries of an appropriation is germane to be paragraph providing the appropriation. Volume **VII**, section **1377**.

A proposal to limit a class authorized to participate in disbursements from an appropriation is a limitation. Volume **VII**, section **1590**.

An amendment forbidding payments from appropriation to recipients lacking specified qualifications is a limitation. Volume **VII**, section **1654**.

An amendment denying use of an appropriation to States lacking certain qualifications was held to be a limitation. Volume **VII**, section **1655**.

An amendment providing that no part of an appropriation be used for benefit of persons lacking certain qualifications is a limitation. Volume **VII**, section **1649**.

The restriction of an appropriations is a limitation. Volume **VII**, section **1649**.

The restriction of an appropriation to expenditures for the benefit of a class of recipients who have complied with certain requirements is in order as a limitation. Volume **VII**, section **1650**.

A provision that no part of an appropriation should be allotted to a beneficiary failing to comply with certain requirements was held in order as a limitation on an appropriation bill. Volume **VII**, section **1651**.

While it is not in order to legislate as to the qualifications of the recipients of an appropriation, the House may specify that no part of the appropriation shall go to recipients lacking certain qualifications. Volume **IV**, sections **3942–3948**.

It is in order to provide by a limitation that a certain proportion of an appropriation shall be withheld from recipients lacking certain qualifications. Volume **IV**, sections **3949–3952**.

While it is not in order on an appropriation bill to require lettering on public vehicles, it is in order to withhold the appropriation from all not lettered. Volume **IV**, section **3953**.

A provision that no part of an appropriation for pay of retired army officers should go to one receiving pay for services as a civil employee was held to be a limitation. Volume **IV**, section **3954**.

A provision withholding an appropriation from those portions of a service not covered in existing contracts was admitted as a limitation. Volume **IV**, section **3988**.

A provision prohibiting the use of an appropriation in paying midshipmen appointed from the Navy who have not served nine months aboard a vessel was admitted on an appropriation bill. Volume **VII**, section **1650**.

Denial of an appropriation for compensation of employees whose appointment lacked final approval was admitted as a limitation. Volume **VII**, section **1645**.

An amendment denying the use of an appropriation for the payment of wages except such as are paid in accordance with existing law was held in order as a limitation. Volume **VII**, section **1647**.

Provision that no part of an appropriation be used for work on which naval prisoners were employed in preference to registered laborers and mechanics was held to be a limitation. Volume **VII**, section **1646**.

Decisions on admissibility of amendments withholding appropriations from departments requiring less than eight hours work. Volume **VII**, section **1624**.

Decisions on amendments denying use of appropriations in payment of contractors who had not established the eight-hour day. Volume **VII**, section **1622**.

APPROPRIATIONS—Continued.**(95) Limitations on General Appropriation Bills.—As Related to Qualifications of Recipients of an Appropriation—Continued.**

While the House may by limitation deny an appropriation to recipients lacking certain qualifications, a professed limitation which by interdiction of certain qualifications restricts lawful executive action is not in order. Volume **VII**, section **1692**.

(96) Limitations on General Appropriation Bills.—Miscellaneous Examples of.

A proviso that no part of an appropriation for a certain amount should be expended until estimates of the entire cost had been made was held to be a limitation. Volume **IV**, section **3997**.

To a provision appropriating for the support of army hospitals an amendment excepting a certain hospital was held to be a limitation (Chairman overruled). Volume **IV**, section **3993**.

A provision that an emergency fund for the maintenance of the Navy should be expended at the discretion of the President was held to be a limitation. Volume **IV**, section **4015**.

In appropriating for a general service of charity a limitation withholding the appropriation from institutions not meeting a specified requirement was held in order. Volume **IV**, sections **3939–3941**.

The Postmaster-General having general authority to transport the mails, a designation of a specific method of transportation was held to be a limitation of the appropriation. Volume **IV**, section **3995**.

A proposition that no part of an appropriation should be paid until the passing of a title was held to be a limitation. Volume **IV**, sections **3999, 4000**.

An amendment that no part of the appropriation for the Army should be available for an army of over a certain size was held to be a limitation. Volume **IV**, section **4005**.

To a provision for payment of the expenses of certain judges a proviso that no part of the money should be expended except on an itemized statement was held in order. Volume **IV**, section **4002**.

A provision that no part of any appropriation for an article should be paid to any trust was held in order as a limitation. Volume **IV**, section **4003**.

It is in order to provide on a general appropriation bill that no part of a certain appropriation shall be expended in payment of an adjudicated claim until the said claim shall have been certified or finally adjudicated. Volume **IV**, section **3641**.

A provision withholding an appropriation from those portions of a service not covered in existing contracts was admitted as a limitation. Volume **IV**, section **3988**.

Provision that no part of an appropriation be used for return of a reserve force to active duty was held to be a limitation. Volume **VII**, section **1585**.

A provision that an emergency fund for maintenance of the Navy be expended on the approval of the Secretary of the Navy was held to be a limitation, but provision that it be disbursed for such purposes as he might deem proper was held to be legislation and not in order on an appropriation bill. Volume **VII**, section **1716**.

Provision that no part of a sum appropriated should be used for soliciting reinstatement of lapsed insurance is a limitation and in order on an appropriation bill. Volume **VII**, section **1589**.

A provision that no part of an appropriation be used in operation of a barge line in competition with common carriers was held to be a limitation. Volume **VII**, section **1592**.

Provision that no part of an appropriation be expended in violation of a specified statute was held to be a limitation and in order on a general appropriation bill. Volume **VII**, section **1594**.

An amendment prohibiting the use of any part of an appropriation for the enforcement of prohibition in States which failed to provide an equal amount for the purpose was admitted as a limitation. Volume **VII**, section **1651**.

APPROPRIATIONS—Continued.**(96) Limitations on General Appropriation Bills.—Miscellaneous Examples of—Continued.**

Provision that no part of the sum appropriated be used for maintenance of warehouses was held to be a limitation. Volume **VII**, section **1652**.

An amendment providing that no part of an appropriation be used for motor mail routes unless petitioned for by patrons was held in order as a limitation on an appropriation bill. Volume **VII**, section **1653**.

In the absence of any statutory limitation on per diem subsistence payable from a lump sum appropriation, an amendment providing a maximum amount was held to be a limitation and in order. Volume **VII**, section **1658**.

A provision excepting a designated bureau from the objects for which an appropriation might be expended was held to be a limitation. Volume **VII**, section **1660**.

Provision that no part of an appropriation be used to prohibit use of peyote for religious purposes was held to be in order on an appropriation bill. Volume **VII**, section **1639**.

Provision that no part of an appropriation be used for education of any Indian whose father is a taxpayer in any State or Territory was held to be a limitation. Volume **VII**, section **1644**.

Provision that no part of an appropriation be expended in maintenance of more than a single approach to any national cemetery held to be in order as a limitation. Volume **VII**, section **1648**.

A provision denying use of an appropriation for education of pupils not residing in the District of Columbia or owning property in the District the taxes on which were in excess of cost of tuition was held to be in order on a general appropriation bill. Volume **VII**, section **1649**.

While it is not in order on an appropriation bill to require lettering on public vehicles it is in order to withhold the appropriation from all not lettered. Volume **IV**, section **3953**.

To a limiting proviso denying use of any part of an appropriation to any soldiers' home maintaining a canteen, an amendment adding "unless located within 5 miles of a city where sale of liquor is permitted" was held to be a limitation upon the limitation and in order. Volume **VII**, section **1709**.

(97) Limitations on General Appropriation Bills.—Miscellaneous Examples of Language Held Not in Order as.

An amendment providing that no portion of an appropriation for manufacture of stamped envelopes should be expended in printing return cards on them was ruled out of order. Volume **IV**, section **4006**.

Provisions as to the method of doing a work have been held to involve legislation, even though the work itself might be authorized. Volume **IV**, section **3708**.

A proviso that mail matter should be carried in cars run in a certain way was held to be legislation and not a proper limitation on the appropriation. Volume **IV**, section **3994**.

A limitation on the amount of liability which a department may incur under existing law is legislation and not a limitation and is not in order on an appropriation bill. Volume **VII**, section **1631**.

Authorization to an executive to reduce expenditures within his discretion is not in order as a limitation, nor does it come within the Holman rule. Volume **VII**, section **1717**.

Denial of the use of an appropriation for expenses incident to change of stations of Army officers with specified exceptions, was held to be a limitation and in order on an appropriation bill. Volume **VIII**, section **2698**.

A provision withholding appropriations for payment of tax refunds not approved by the Joint Committee of Internal Revenue Taxation was held not to be admissible as a limitation. Volume **VII**, section **1672**.

To an amendment providing a limitation a substitute amendment providing in addition to the limitation a method of enforcement was held to be legislation and not in order. Volume **VII**, section **1635**.

APPROPRIATIONS—Continued.**(97) Limitations on General Appropriation Bills.—Miscellaneous Examples of Language Held Not in Order as—Continued.**

An amendment providing certain conditions precedent of an affirmative character upon which an appropriation should be available was held to be legislation and not in order on an appropriation bill. Volume **VII**, section **1720**.

In construing an amendment offered as a limitation the practice of the House relating thereto should be construed strictly in order to avoid incorporation of legislation appropriation bills under guise of limitations. Volume **VII**, section **1720**.

(98) Miscellaneous Decisions.

While conference reports must be written in duplicate, it is the practice to prepare conference reports on appropriation bills in triplicate, and on occasion all conference reports have been required in triplicate. Volume **VIII**, section **3296**.

A revenue amendment is not germane to an appropriation bill. Volume **VIII**, section **3038**.

To a bill providing a lump-sum appropriation for the prosecution of authorized river and harbor works an amendment designating specific works upon which the appropriation should be expended was held to be germane. Volume **VIII**, section **3008**.

A motion to recommit may not include instructions proposing legislation in a general appropriation bill. Volume **VIII**, section **2701**.

Appropriations provided by the supply bills are for the fiscal year and proposals to appropriate for the calendar year are not admissible. Volume **VII**, section **1477**.

An amendment increasing the total amount appropriated by a paragraph without increasing constituent items in the paragraph to correspond thereto was held not to be in order. Volume **VII**, section **1408**.

A resolution providing for the investigation of a question of privilege loses its privileged character if including an appropriation. Volume **VI**, section **395**.

The payment of a year's salary to widows of deceased Members is a gratuity, and in event of the death of the beneficiary prior to payment there is no authority to make payment to any one else. Volume **VI**, section **204**.

Instance wherein a Senator requested elimination from appropriation bill of item reimbursing him for expenses incurred in defense of his seat. Volume **VI**, section **106**.

Instance wherein appropriations were made for salaries of Members withheld during absence in military service. Volume **VI**, section **61**.

Transfer of money from one department to another in exchange for materials or services is authorized by law. Volume **VII**, section **1471**.

In amending a Senate amendment the House is not confined within the limits of amount set by the original bill and the Senate amendment. Volume **VIII**, section **3189**.

Decisions on the "stop-watch" or "Taylor system" and "bonus" or "premium" provisions proposed on general appropriation bills. Volume **VII**, section **1609**.

(99) Points of Order.

Points of order are usually reserved when appropriation bills are referred to the Committee of the Whole in order that portions in violation of rule may be eliminated by raising points of order in committee. Volume **V**, sections **6921–6925**. Volume **VIII**, section **3450**.

Points of order are reserved at the time of reference to Committee of the Whole only on general appropriation bills. Volume **V**, section **6926**.

The House established many years ago the practice of striking out of an appropriation bill in Committee of the Whole such portions as contained legislation. Volume **IV**, section **3811**.

Where points of order are reserved on an appropriation bill a portion not germane and not within the jurisdiction of the committee may be stricken out on a point of order in Committee of the Whole. Volume **IV**, section **4219**.

A point of order being made against an entire paragraph the whole of it must go out if a portion merely is subject to the objection. Volume **V**, section **6883**.

APPROPRIATIONS—Continued.**(99) Points of Order—Continued.**

If the point of order is directed to the item of appropriation that item only is eliminated, but if made against the paragraph or section containing the item the entire paragraph or section goes out. Volume **VII**, section **2143**.

While in order “at any time,” it has been held that a point of order under section 4 of rule XXI should be raised at a time consistent with the orderly consideration of the bill to which applied. Volume **VII**, section **2138**.

A point of order under section 4 of Rule XXI applies to the appropriation against which directed and not to the bill or section carrying it. Volume **VII**, section **2140**.

Under the rule forbidding consideration of appropriations in connection with bills reported by non-appropriating committees, a point of order should be directed to the item of appropriation in the bill and not to the act of reporting the bill. Volume **VII**, section **2142**.

The point of order that a bill reported by a nonappropriating committee contains an appropriation is properly directed to the item of appropriation and not to the act of reporting the bill. Volume **VII**, section **2143**.

Points of order under the rule apply to appropriations and not to the bill in which carried. Volume **VII**, section **2150**.

A point of order against an appropriation reported by a committee without authority to report appropriations is in order at any time. Volume **VII**, section **2148**.

Points of order against appropriations in bills from committees without authority to report appropriations are properly directed against the appropriating language only, and when sustained do not affect the remainder of the bill. Volume **VII**, section **2148**

(100) Reappropriations.

A provision for the reappropriation of a sum required by law to be covered into the Public Treasury was held not to be a change of law, and not to be an appropriation beyond the limit of cost. Volume **VII**, section **1152**.

The reappropriation of an unexpended balance for an object authorized by law may be made on an appropriation bill. Volume **VII**, section **1153**.

A proposal authorizing the Secretary of the Navy to expend unobligated balances for labor-saving devices was held to be in order on an appropriation bill. Volume **VII**, section **1154**.

The reappropriation of unexpended balances, even for another lawful purpose than that for which originally appropriated, is in order on an appropriation bill. Volume **VII**, section **1155**.

Reappropriations of unexpended balances to be in order on appropriation bill must specify amounts and from what previous appropriation remaining, and be for similar objects. Volume **VII**, section **1156**.

While it is in order to provide for the reappropriation of unexpended balances in an appropriation bill, sums previously appropriated for a specific purpose may not be reappropriated for a purpose unauthorized by law. Volume **VII**, section **1157**.

The reappropriation of unexpended balances for purposes authorized by law is in order even though for different purposes than those for which originally appropriated. Volume **VII**, section **1158**.

While the reappropriation of unexpended balances may be made on an appropriation bill, the establishment of a revolving fund from such balances is not a mere reappropriation and is not in order. Volume **VII**, section **1160**.

A proposition reappropriating an unexpended balance may be amended by a proposition making a direct appropriation for the same purpose. Volume **VII**, section **1161**.

Reappropriation of sums required by law to be covered into the Treasury is in order on an appropriation bill. Volume **VII**, section **1162**.

APPROPRIATIONS—Continued.**(100) Reappropriations—Continued.**

The reappropriation of an unexpended balance for an object authorized by law may be made on an appropriation bill. Volume **VII**, section **1253**.

A proposition to reappropriate or make available an appropriation previously made or to divert such appropriation to any purpose other than that for which originally made is equivalent to a direct appropriation and is not in order in connection with a bill reported by a committee without authorized jurisdiction to report appropriations. Volume **VII**, section **2146**.

Legislative direction that funds previously appropriated be used for a purpose not specified in the original appropriation was held to be an appropriation in contravention of section 4 of Rule XXI. Volume **VII**, section **2147**.

(101) Trust Funds.

The appropriation of funds held in trust in the Federal treasury is legislation and is not in order on a general appropriation bill. Volume **VII**, section **1407**.

Legislative direction for disbursements from Indian trust funds was held to constitute an appropriation within the meaning of section 4 of Rule XXI. Volume **VII**, section **2149**.

(102) What Constitutes an Appropriation.

To provide that an appropriation already made shall be available for a different purpose is an appropriation and exclusively within the jurisdiction of the Committee on Appropriations. Volume **VII**, section **1744**.

The language “payment therefor to be made from the appropriate appropriation” constitutes an appropriation, and is subject to a point of order when reported by a committee without authority to report appropriations. Volume **VII**, section **2148**.

The phrase “warranted and made available for expenditures” is equivalent to “is hereby made available” and is subject to a point of order under section 4 of Rule XXI. Volume **VII**, section **2150**.

A provision that moneys covered into the Treasury “shall constitute a special fund, as the Secretary may direct, for the payment of” certain expenses, was construed as carrying an appropriation. Volume **VII**, section **2151**.

Provision for establishment of a special fund, to be available with other funds appropriated for the purpose in payment of refunds, was ruled to be an appropriation and subject to a point of order under section 4 of Rule XXI. Volume **VII**, section **2152**.

Authorization to expend receipts derived from the administration of a law, for administrative expenses, was held to be an appropriation and therefore not in order on a bill reported by a legislative committee. Volume **VII**, section **2153**.

Direction to departmental officers to pay determinable amounts from unexpended balances is equivalent to an appropriation. Volume **VII**, section **2154**.

Provision that disbursements “shall be paid from the appropriation made to the department for that purpose” was construed as an authorization merely and not an appropriation, and therefore not subject to a point of order under section 4 of Rule XXI. Volume **VII**, section **2156**.

A legislative provision crediting the general account of the District of Columbia was held not to be an appropriation within the purview of the rule. Volume **VII**, section **2157**.

Payment of a claim from surplus funds of the Sugar Equalization Board, a corporation created by act of Congress, the assets of which are by law converted into the Treasury upon liquidation of the corporation board, was held not to be subject to a point of order under section 4 of Rule XXI. Volume **VII**, section **2158**.

Provision that the cost of certain surveys should be paid “from appropriations made for that purpose” was held not to come within the inhibition of the rule. Volume **VII**, section **2159**.

Language authorizing payments from appropriations for purposes for which originally made does not propose an appropriation. Volume **VII**, section **2159**.

APPROPRIATIONS—Continued.**(102) What Constitutes an Appropriation—Continued.**

Provision for redemption at the treasury of adjustment certificates issued by the Secretary of Agriculture in administration of the Farm Relief Law and drawn on a special fund provided for the purpose was held not to constitute an appropriation within the meaning of section 4 of Rule XXI. Volume **VII**, section **2160**.

APPROVAL.

- (1) **Of the Journal.—General principles.**
- (2) **Of the Journal.—Delayed.**
- (3) **Of the Journal.—In relation to amendments.**
- (4) **Of bills.—Presentation to the President.**
- (5) **Of bills.—As to what measures must be presented.**
- (6) **Of bills.—Form and effect of signature.**
- (7) **Of bills.—In relation to recess.**
- (8) **Of bills.—In relation to adjournment.**
- (9) **Of bills.—Messages announcing.**
- (10) **Of bills.—Returned without approval.**

(1) Of the Journal.—General Principles.

It is the uniform practice of the House to approve its Journal for each legislative day. Volume **IV**, section **2731**.

In ordinary practice the Journal is approved by the House without the formal putting of the motion to vote. Volume **IV**, section **2774**.

The Journal may neither be read nor approved until a quorum has appeared. Volume **IV**, section **2732**.

The Journal may not be approved until a quorum has appeared. Volume **VI**, section **629**.

The Journal makes no mention of its own approval, except when a question is raised and a vote taken. Volume **IV**, section **2780**.

While the Journal must be read in full on the demand of any Member such demand comes too late after the Journal has been approved. Volume **VI**, section **626**.

No business is in order until the Journal has been approved. Volume **VI**, section **637**.

The transaction of business is not in order before the reading and approval of the Journal. Volume **VI**, section **629**.

The transaction of business, however highly privileged, is not in order before the reading and approval of the Journal. Volume **VI**, section **630**.

Ordinarily no business may be transacted before the reading and approval of the Journal, although for a brief period another rule prevailed as to certain highly privileged matters. Volume **IV**, sections **2752–2756**.

The Speaker declined to entertain a motion to approve the Journal without reading in full. Volume **VI**, section **628**.

A motion to suspend the rules and approve the Journal was held in order, although the Journal had not been read, and the then highly privileged motion to fix the day to which the House should adjourn was pending. Volume **IV**, section **2758**.

The granting by the House of unanimous consent to dispense with the reading of the Journal implies unanimous consent to its approval. Volume **VI**, section **625**.

The Journal of the last day of a session that has adjourned without day is not read on the first day of the succeeding session. Volume **IV**, section **2742**.

On the last legislative day of a session the Journal is sometimes read and approved, but the practice is very unusual. Volume **IV**, section **2745**.

During the interim preceding the election of speaker and adoption of rules the Journal of the proceedings is read and approved daily. Volume **VI**, section **623**.

The duty of preliminary approval of the Journal, the reference of bills to committees and calendars, and similar matters of clerical routine are largely delegated by the Speaker to the Clerk at the Speaker's table. Volume **VI**, section **626**.

APPROVAL.—Continued.**(2) Of the Journal.—Delayed.**

Journals of more than one session remaining unapproved are taken up for approval in chronological order, although the opposite ruling has once been made. Volume **IV**, sections **2771–2773**.

In 1839 the difficulties at organization prevented the daily approval of the Journal until finally on one day the Journals of several days were approved. Volume **I**, section **92**.

The Question as to whether or not the Journal of the preceding day should be read until the Journals of days prior to that day have been approved. Volume **IV**, sections **2771–2773**.

(3) Of the Journal.—In Relation to Amendments.

After the Journal has been approved amendments should not be ordered. Volume **IV**, section **278**. A motion to amend the Journal takes precedence of the motion to approve it. Volume **IV**, section **2760**.

The motion to amend the Journal takes precedence of the motion to approve it, but the motion to amend is not admitted after the previous question has been demanded on the motion to approve. Volume **VI**, section **633**.

A motion to amend the Journal may not be admitted after the previous question is demanded on a motion to approve. Volume **IV**, section **2770**.

The motion to amend the Journal may not be admitted after the previous question is demanded on the motion to approve. Volume **VIII**, section **2684**.

While the regular time for amending the Journal expires with its approval yet this rule has sometimes been waived for the correction of a yea and nay vote. Volume **IV**, sections **2767–2769**.

Where a vote actually given fails to be recorded, it is the right of the Member to have the proper correction made before the approval of the Journal. Volume **V**, sections **6061–6063**.

Although the Journal had been approved the Speaker admitted as privileged a motion to correct a manifest error which would deprive a Member of certain rights as to the pending question. Volume **IV**, section **2788**.

It is not in order to place on the Journal indirectly what the House has refused to place there directly. Volume **IV**, section **2805**.

An expression of opinion as to a decision of the Chair is not in order as an amendment to the Journal. Volume **IV**, section **2848**.

Discussion of the scope of the Speaker's power to correct the Journal before it is read. Volume **IV**, section **2734**.

(4) Of Bills.—Presentation to the President.

The rule and practice as to the enrolling and signing of bills and their presentation to the President. Volume **IV**, section **3429**.

Enrolled bills are presented to the President by the Committee on Enrolled Bills. Volume **IV**, section **3429**.

The certification and presentation of enrolled bills to the President is governed by usage founded on former joint rules. Volume **IV**, section **3430**.

The House originating a measure transmits it to the President or to the Secretary of State, as the circumstances require. Volume **VII**, section **1085**.

The Committee on Enrolled Bills reports for entry on the Journal the date of presentation of bills to the President. Volume **IV**, section **3430**.

Instance wherein a bill enrolled and signed by the presiding officers of the two Houses of one session was sent to the President and approved at the next session. Volume **IV**, section **3486**.

A concurrent resolution to send to the President for approval bills which had passed both Houses in the previous session of the same Congress but which for want of time failed to reach him was treated as privileged. Volume **VII**, section **1086**.

APPROVAL—Continued.**(4) Of Bills.—Presentation to the President—Continued.**

A bill wrongly enrolled was recalled from the President, who erased his signature, and recommitted to the Committee on Enrolled Bills with instructions. Volume **IV**, section **3506**.

The return of a bill which has gone to the President of the United States is requested by concurrent resolution, and such resolution when received from the Senate is treated as privileged. Volume **VII**, section **1090**.

A bill sent to the President but not yet signed by him was recalled by concurrent resolution. Volume **VII**, section **1091**.

Instance wherein an enrolled bill recalled from the President was afterwards amended. Volume **VII**, section **1091**.

An error in a bill that has gone to the President of the United States may be corrected by a joint resolution. Volume **VII**, section **1092**.

The President requested a duplicate copy of a bill, lost after transmission to him, by a message addressed to the House in which the bill originated. Volume **VII**, section **1093**.

A resolution for the reenrollment and signing of a bill which the President had declined to sign for constitutional reasons was held to be privileged. Volume **IV**, section **3493**.

(5) Of Bills.—As to What Measures Must be Presented.

Every bill which was passed the two Houses is presented to the President for his signature if he approve. Volume **IV**, section **3482**.

In general, orders, resolutions, and votes in which the concurrence of the two Houses is necessary must be presented to the President on the same condition as bills. Volume **IV**, section **3482**.

The question as to whether or not concurrent resolutions should be sent to the President for his signature. Volume **IV**, section **3484**.

The question as to whether concurrent resolutions should be sent to the President for his signature. Volume **VII**, section **1084**.

Although the requirement of the Constitution seems specific, the practice of Congress has been to present to the President for approval only such concurrent resolutions as are legislative in effect. Volume **IV**, section **3483**.

A concurrent resolution providing for final adjournment of the two Houses is not presented to the President for approval. Volume **IV**, section **3482**.

It has been conclusively settled that a joint resolution proposing an amendment to the Constitution should not be presented to the President for his approval. Volume **V**, section **7040**.

(6) Of Bills.—Form and Effect of Signature.

The approval of a bill by the President of the United States is valid only with his signature. Volume **IV**, section **3490**.

At the close of the Fifty-ninth Congress the President approved bills as of the hour and minute of the calendar day instead as of the legislative day. Volume **IV**, section **3489**.

The act of President Tyler in filing with a bill an exposition of his reasons for signing it was examined and severely criticized by a committee of the House. Volume **IV**, section **3492**.

In 1842 a committee of the House discussed the act of President Jackson in writing above his signature of approval a memorandum as to his construction of the bill. Volume **IV**, section **3492**.

A statute requires that bills signed by the President shall be received by the Secretary of State from the President. Volume **IV**, section **3485**.

An enrolled bill, when signed by the President, is deposited in the office of Secretary of State. Volume **IV**, section **3429**.

If a bill before the disposal of a motion to reconsider the vote on its passage should be enrolled, signed, and approved by the President, its validity as a law probably could not be questioned (footnote). Volume **V**, section **5704**.

APPROVAL—Continued.**(7) Of Bills.—In Relation to Recess.**

It may be regarded as settled that the President of the United States may effectively approve a bill when Congress is in recess for a specified time. Volume **IV**, section **3493**.

The President, in the opinion of the Attorney-General, may sign a bill at any time within ten days after Congress has adjourned for a recess. Volume **IV**, section **3496**.

An instance where the President signed bills after Congress had adjourned for a recess. Volume **VII**, section **1087**.

President Johnson contended that he might not approve bills during a recess of Congress. Volume **IV**, sections **3493**, **3494**.

A question as to the return of a vetoed bill, Congress being in recess beyond the limit of ten days. Volume **IV**, section **3496**.

(8) Of Bills.—In Relation to Adjournment.

A bill not returned by the President within ten days (Sundays excepted) becomes a law as if signed, unless Congress, by adjournment, prevents its return. Volume **IV**, section **3520**.

An instance wherein the President signed a bill after the adjournment of Congress. Volume **IV**, section **3497**.

The President, in the opinion of the Attorney General, has the power to approve bills after adjournment sine die of the Congress which has passed them, but within 10 days (Sundays excepted) after they have been presented to him. Volume **VII**, section **1088**.

It is usual for the President to inform the House by message of such bills as he has approved and of such as have become laws without his approval. Volume **V**, sections **6614**, **6615**.

The President sometimes at the close of a Congress informs the House as to both the bills he has signed and those he has allowed to fail. Volume **IV**, sections **3499–3502**.

An instance where the President communicated his omission to sign a bill through the committee appointed to notify him that Congress was about to adjourn. Volume **IV**, section **3504**.

When the President was prevented by adjournment from returning a bill with his objections it was formerly customary for him at the next session to communicate his reason for not approving. Volume **V**, sections **6613–6620**.

The President usually notifies the House of bills that have become laws without his approval. Volume **IV**, section **3503**.

(9) Of Bills.—Messages Announcing.

The President usually informs the House of his signature to a bill, but this is not necessary to the validity of the act. Volume **IV**, section **3495**.

Announcement of approval of a bill by the President is transmitted to the House in which the bill originated. Volume **VII**, section **1089**.

An instance where the President in announcing his approval of a bill gave his reasons for so doing. Volume **IV**, section **3491**.

Messages from the Senate and President giving notice of bills passed or approved are entered in the Journal and published in the Record. Volume **V**, section **6593**.

(10) Of Bills.—Returned Without Approval.

A bill which the President does not approve he returns with his objections to the House in which it originated. Volume **IV**, section **3520**.

The House to which a bill is returned with the objections of the President enters the objections on the Journal and proceeds to reconsider it. Volume **IV**, section **3520**.

If two-thirds of the House to which a bill is returned with the President's objections agree to pass it and then two-thirds of the other House agree it becomes law. Volume **IV**, section **3520**.

On a vote on passing a bill returned with the objections of the President the yeas and nays are required to be entered into the Journal. Volume **IV**, section **3520**.

APPROVAL—Continued.**(10) Of Bills.—Returned Without Approval—Continued.**

A bill passed notwithstanding the objections of the President is sent by the Presiding Officer in the House which last acts on it to the Secretary of State for preservation. Volume **IV**, section **3524**.

When a bill returned without the President's approval is passed by the two Houses the Secretary of State receives the bill from the Presiding Officer of the House in which it last was passed. Volume **IV**, section **3485**.

Since the enactment of the statute the House takes no special action in relation to transmitting to the Secretary of State bills passed over the President's veto. Volume **IV**, sections **3528**, **3529**.

Before the enactment of the statute the House diverted the Clerk to take to the Secretary of State its bills passed over the President's veto. Volume **IV**, sections **3525–3527**.

It is the practice for one House to inform the other by message of its decision that a bill returned with the President's objection shall not pass. Volume **IV**, sections **3539–3541**.

It is not in order to move to postpone indefinitely the consideration of a veto message of the President. Volume **IV**, section **3548**.

A bill returned with the objections of the President may be laid on the table. Volume **IV**, section **3549**.

Vetoed bills are sometimes referred to committees and not acted on further (footnote). Volume **IV**, section **3523**.

In the Senate also a motion to refer a vetoed bill has been held in order. Volume **IV**, section **3550**.

A bill returned with the President's objections is privileged, but the same is not true of a bill reported in lieu of it. Volume **IV**, section **3531**.

A vetoed bill having been rejected by the House the message was referred. Volume **IV**, section **3552**.

A veto message of the President may not be read in the absence of a quorum, even though the House be about to adjourn sine die. Volume **IV**, section **3522**.

ARBITRATION.

The Committee on Labor has reported on the subject of arbitration as a means of getting labor troubles. Volume **IV**, section **4246**. Volume **VII**, section **1979**.

The subjects of extradition with foreign nations, international arbitration, and violations of neutrality have been within the jurisdiction of the Committee on Foreign Affairs. Volume **IV**, section **4178a**.

In 1916 the House originated and the Senate agreed to a measure authorizing the President to invite a conference of Governments of the world to consider the establishment of a Court of Arbitration. Volume **VI**, section **329**.

ARBORETUM.

The importation and interstate transportation of trees, shrubs, and other nursery stock, quarantine regulations against insect pests and plant diseases, and the establishment of a national arboretum are subjects within the jurisdiction of the Committee on Agriculture. Volume **VII**, section **1863**.

ARCHBALD, ROBERT W.

The impeachment and trial of Robert W. Archbald, U.S. Circuit Judge. Volume **VI**, sections **498–512**.

ARCHER.

The Illinois election case of Archer v. Allen in the Thirty-fourth Congress. Volume **I**, section **824**.

ARCHITECT OF THE CAPITOL.

The Capitol power plant and its service, like the House Office Building, are under the control of the Architect of the Capitol subject to the approval of the House Office Building Commission. Volume **VIII**, section **3656**.

The House Office Building and its service are under the supervision of the Architect of the Capitol, subject to the approval and direction of the House Office Building Commission. Volume **VIII**, section **3646**.

ARCHITECT, SUPERVISING.

Legislation relating to the Office of the Supervising Architect of the Treasury is within the jurisdiction of the Committee on Public Buildings and Grounds. Volume **IV**, section **4232**.

ARID PUBLIC LANDS.

Legislative propositions relating to the care of waters on arid public lands belong to the jurisdiction of the Committee on the Public Lands and not the Committee on Irrigation and Reclamation. Volume **VII**, section **1931**.

ARKANSAS.

In 1873 objection was made both to the substance and form of the electoral certificate of Arkansas, and the two Houses disagreeing the vote was not counted. Volume **III**, section **1969**.

Election cases from in the House:

- Seventeenth Congress.—Lyon v. Bates. Volume **I**, section **749**.
- Twenty-ninth Congress.—Thomas W. Newton. Volume **I**, section **489**.
- Twenty-ninth Congress.—Newton and Yell. Volume **I**, section **572**.
- Twenty-ninth Congress.—Archibald Yell. Volume **I**, section **488**.
- Thirty-eighth Congress.—Johnson, Jacks and Rogers. Volume **I**, section **380**.
- Forty-second Congress.—Boles v. Edwards. Volume **I**, sections **605–608**.
- Forty-third Congress.—Bell v. Snyder. Volume **II**, section **900**.
- Forty-third Congress.—Bradley v. Hynes. Volume **II**, section **901**.
- Forty-third Congress.—Gause v. Hodges. Volume **II**, sections **892–894**.
- Forty-third Congress.—Gunter v. Wilshire. Volume **I**, section **37**.
- Forty-sixth Congress.—Bradley v. Slemonds. Volume **II**, sections **936–938**.
- Fifty-first Congress.—Clayton v. Breckinridge. Volume **II**, sections **1018, 1019**.
- Fifty-first Congress.—Featherstone v. Cate. Volume **II**, sections **1022–1024**.

Election cases from in the Senate:

- Thirty-eighth Congress.—Fishback and Baxter. Volume **I**, section **382**.
- Fortieth Congress.—Jones and Gardner v. McDonald and Rice. Volume **I**, section **389**.

ARKANSAS HOT SPRINGS.

Subjects relating to Arkansas Hot Springs Reservation are within the jurisdiction of the Committee on Public Lands. Volume **IV**, section **4200**.

ARMAMENT.

The disposition of war trophies and devices and the distribution of obsolete weapons and armament are subjects within the jurisdiction of the Committee on Military Affairs. Volume **VII**, section **1895**.

ARMED FORCES.

The driving of voters from the polls by armed force in the majority of the precincts of a county caused the rejection of the returns of the entire county. Volume **II**, section **968**.

Although excitement and alarm prevailed in a county, with the presence of an armed force in the neighborhood of the polls, the committee did not recommend the rejection or correction of the vote. Volume **I**, section **604**.

Discussion as to whether or not the mere presence of United States troops near the polls constituted undue influence justifying rejection of the returns. Volume **II**, section **926**.

ARMED FORCES—Continued.

The mere presence of United States soldiers in the neighborhood of the polls, unaccompanied by disorderly or threatening conduct, does not vitiate the poll. Volume **II**, section **906**.

Discussion as to whether the distribution of United States soldiers in the neighborhood of the polls justified rejection of returns for intimidation. Volume **II**, section **925**.

ARMIES.

No appropriation for the support of armies shall be for a longer term than two years. Volume **IV**, section **3571**.

Interpretation of the constitutional provision limiting the duration of appropriations for the support of armies. Volume **IV**, section **3572**.

ARMORIES.

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. Volume **IV**, sections **4045–4047**.

ARMS.

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms equipments, etc. Volume **IV**, sections **4043–4047**.

ARMSTRONG.

The election case of Burleigh and Spink v. Armstrong from Dakota Territory in the Forty-second Congress. Volume **II**, section **889**.

ARMY.

- (1) **Jurisdiction of subjects relating to.**
- (2) **Acceptance of incompatible office in.**
- (3) **Power to investigate conduct of officers of.**
- (4) **Ceremonies of respect for officers of.**
- (5) **In general.**

(1) Jurisdiction of Subjects Relating to.

The rules give to the Committee on Military Affairs jurisdiction of subjects relating "to the military establishment and the public defense." Volume **IV**, section **4179**.

The Committee on Military Affairs reports two general appropriation bills, one for the Army and the other for the Military Academy. Volume **IV**, section **4180**.

Appropriations for the military establishment and the public defense, including the Military Academy, are by rule placed within the jurisdiction of the Committee on Military Affairs. Volume **IV**, section **4179**.

Legislative authorization for construction of buildings for use of the Army and provisions for the control thereof are generally within the jurisdiction of the Committee on Military Affairs. Volume **IV**, section **4183**.

Bills pertaining to Military Aviation and Army Aeronautics are reported by the Committee on Military Affairs. Volume **VII**, section **1903**.

Legislative proposals relating to claims for expenses incurred under direction of the Army personnel belong to the jurisdiction of the Committee on Claims and not the Committee on Military Affairs. Volume **VII**, section **1998**.

The use of Army transports and authorizations and regulations for the transportation of civilians thereon are subjects within the jurisdiction of the Committee on Military Affairs. Volume **VII**, section **1896**.

(2) Acceptance of Incompatible Office in.

The Elections Committee found that Thomas W. Newton, already seated on prima facie showing, was entitled to the seat made vacant by Archibald Yell's acceptance of an office in the Army. Volume **I**, section **489**.

ARMY—Continued.**(2) Acceptance of Incompatible Office in—Continued.**

A Member who had been mustered into the military service of the United States was held by the Elections Committee to have forfeited his right to a seat. Volume **I**, section **490**.

In 1898 the Judiciary Committee found that four Members, by accepting commissions in the Army, and being mustered into the service after taking the oath as Representatives, thereby vacated their seats. Volume **I**, section **494**.

A Senator-elect who had before qualifying exercised the authority of an army officer de facto was held not to have vacated his seat. Volume **I**, section **491**.

An opinion of the Judiciary Committee that persons on the retired list of the Army do not hold office under the United States in the constitutional sense. Volume **I**, section **494**.

Form of resolution declaring vacant the seat of a Member who had become an officer in the Army. Volume **I**, sections **488–490**.

(3) Power to Investigate Conduct of Officers of.

In 1810 the House after mature consideration determined that it had the right to investigate the conduct of General Wilkinson, although he was not an officer within the impeaching power of the House. Volume **III**, section **1727**.

The House having investigated charges against General Wilkinson of the Army, the results were transmitted to the President by the hands of a committee. Volume **III**, section **1727**.

The House by resolution called on two of its Members to state what they knew concerning charges against the Chief of the Army, then under discussion. Volume **III**, section **1726**.

In 1807 the House after mature consideration declined to investigate charges against the Chief of the Army, but requested the President to make such an inquiry. Volume **III**, section **1726**.

A letter from an individual charging an officer of the Army with corruption was considered and an investigation was ordered. Volume **III**, section **1742**.

(4) Ceremonies of Respect for Officers of.

Eminent American soldiers have been received informally by the House. Volume **V**, sections **7076–7079**.

Ceremonies at the joint session to receive General Pershing. Volume **VIII**, section **3535**.

Observances of the House on occasions of the deaths of high officers of the Army. Volume **V**, sections **7201–7207**.

Observances of the House on occasions of the deaths of distinguished officers of the Army and Navy. Volume **VIII**, section **3592**.

The House generally did not adjourn in tribute to the memories of high officers of the Revolution. Volume **V**, section **7211**.

The House appointed a committee to attend the transfer of the remains of General Rosecrans. Volume **V**, section **7212**.

(5) In General.

Discussion as to the power of the Senate sitting on impeachment trials to command assistance of the military, naval, or civil service of the United States. Volume **III**, section **2158**.

No officer of the Army or Navy shall prescribe qualifications of voters or interfere with the suffrage. Volume **I**, section **512**.

Service in the United States Army does not disqualify as a voter at the legal place of residence but residence may not be acquired by length of time quartered under Army orders in any particular place. Volume **VI**, section **148**.

Rank and prerogatives of Senators and Representatives when moving with the Army. Volume **VIII**, section **3674**.

ARMY, GENERAL OF.

A communication from the General of the Army transmitted directly, instead of through the Secretary of War, was received and referred, although occasioning some criticism. Volume **V**, section **6653**.

ARMY POST.

While an appropriation for a new army post was held to involve legislation, a general appropriation for the shelter and protection of troops was held to be in order. Volume **V**, section **5783**.

ARNELL.

The Tennessee election case of Thomas v. Arnell in the Thirty-ninth Congress. Volume **I**, section **680**.

ARNOLD.

The Tennessee election case of Arnold v. Lea in the Twenty-first Congress. Volume **I**, section **778**.

ARRAIGNMENT.

- (1) **Of Members for absence.**
- (2) **Of an officer of the House or of the Senate.**
- (3) **For breach of privilege.**
- (4) **Of a contumacious witness.—Procedure generally.**
- (5) **Of a contumacious witness.—Instance of.**
- (6) **Of a contumacious witness.—Discharged on agreeing to testify.**
- (7) **Of a contumacious witness.—Committed to custody.**
- (8) **Of a contumacious witness.—Answer in improper form.**
- (9) **Of a contumacious witness.—Answer in writing.**
- (10) **Of a contumacious witness.—Oral answer.**
- (11) **Of a contumacious witness.—Counsel for.**

(1) Of Members for Absence.

A Member under arrest for absence may not, when called on for an excuse, question the authority of the House. Volume **IV**, section **3023**.

Less than a quorum may not order the arraignment of absent Members at a future meeting of the House. Volume **IV**, sections **3032–3035**.

A quorum appearing on a call, the House sometimes orders absent Members to be arraigned on the succeeding day. Volume **IV**, sections **3030, 3031**.

(2) Of an Officer of the House or of the Senate.

The Clerk being arraigned to answer charges, leave was given him to address the House. Volume **I**, section **287**.

An officer of the House being arraigned for neglect of duty it was voted that he might answer orally. Volume **I**, section **291**.

The Clerk being arraigned and addressing the House in his defense the Journal merely records the fact. Volume **I**, section **287**.

The Journal recorded the substance of the oral answer of an officer of the House arraigned at the bar for neglect of duty. Volume **I**, section **291**.

In response to charges made in open session, an officer of the Senate appeared voluntarily at the bar and being arraigned declined counsel. Volume **VI**, section **37**.

In arraigning one of its officers the Senate declined to require that questions be reduced to writing, and elected to interrogate him orally. Volume **VI**, section **37**.

(3) For Breach of Privilege.

Form of arraignment of Randall and Whitney in 1795. Volume **II**, section **1600**.

Samuel Houston, arrested for a breach of privilege, was arraigned at the bar of the House, informed of the charge, and informed that he might summon witnesses and employ counsel. Volume **II**, section **1616**.

ARRAIGNMENT—Continued.**(3) For Breach of Privilege—Continued.**

A person arraigned at the bar of the House must be dealt with in strict accordance with the terms of the resolution ordering his arrest and arraignment. Volume **II**, section **1635**.

A person arraigned for contempt submitted a statement in writing, which did not appear in full in the Journal. Volume **II**, section **1635**.

Instance wherein the House amended its charges against a person already arraigned for contempt. Volume **II**, section **1600**.

Members are not permitted to communicate with a prisoner arraigned at the bar of the House. Volume **II**, section **1626**.

The Speaker held that Members might not confer with a respondent arraigned at the bar of the House. Volume **VI**, section **333**.

A person who had assaulted a Member on his way to the House, but at a place distant therefrom, was arrested on warrant of the Speaker and arraigned at the bar. Volume **II**, section **1626**.

A citizen having assaulted a Member for words spoken in debate, the House arrested, arraigned, and censured him. Volume **VI**, section **333**.

The House arrested and arraigned at the bar a newspaper reported for alleged statements reflecting on the integrity of a Member. Volume **III**, section **1635**.

The House permitted a person arraigned for contempt in 1795 to be represented before the House by counsel. Volume **II**, section **1601**.

A person on trial at the bar of the Senate was to be present the arraignment and examinations, but to retire during deliberations. Volume **II**, section **1604**.

Form of proceedings at the arraignment and censure of Charles C. Glover. Volume **VI**, section **333**.

(4) Of a Contumacious Witness.—Procedure Generally.

A person under arrest for contempt is arraigned before being required to answer. Volume **III**, section **1685**.

A contumacious witness should not be proceeded against for contempt, either before the House or under the law, until he has been arraigned and answered at the bar of the House. Volume **III**, section **1685**.

Form of arraignment of a recalcitrant witness at the bar of the House. Volume **III**, section **1669**.

Form of arraignment adopted in the case of Williamson. Volume **III**, section **1673**.

An instance wherein a person was arraigned at the bar without a previous order of the House fixing the form of procedure. Volume **III**, section **1689**.

In the Woolley case the House did not furnish to the respondent a copy of the report of the committee at whose suggestion he was arraigned. Volume **III**, section **1685**.

Form of arraignment adopted in the Wolcott case. Volume **III**, section **1671**.

A person on trial at the bar of the House for contempt was given permission to examine witnesses. Volume **III**, section **1668**.

The House ordered that Whitney, under arrest for contempt, should be furnished with a copy of the report as to his alleged contempt before arraignment. Volume **III**, section **1667**.

In the Steward case the questions and answers at the examination were recorded in the Journal, the answers being oral and not under oath. Volume **III**, section **1689**.

The respondent retired while the House deliberated on the mode of procedure in a case of contempt. Volume **III**, section **1668**.

(5) Of a Contumacious Witness.—Instance of.

In 1837, for refusing to obey the subpoena of a committee, Reuben W. Whitney was arrested and tried at the bar of the House. Volume **III**, section **1667**.

In 1857 the House arrested and arraigned at its bar Joseph L. Chester, a contumacious witness. Volume **III**, section **1670**.

ARRAIGNMENT—Continued.**(5) Of a Contumacious Witness.—Instance of—Continued.**

In 1858 the House arrested and arraigned J.D. Williamson for contempt in declining to respond to a subpoena. Volume **III**, section **1673**.

The witness Kilbourn was arraigned without previous adoption of a form. Volume **II**, section **1608**. James W. Simonton, a witness before a House committee, was arrested and arraigned at the bar for declining to answer a material question. Volume **III**, section **1669**.

(6) Of a Contumacious Witness.—Discharge on Agreeing to Testify.

In 1880 three recalcitrant witnesses were arraigned at the bar of the Senate, and having purged themselves of contempt were discharged. Volume **III**, section **1702**.

A person who had failed to respond to a summons was arrested and arraigned, and his excuse being satisfactory the House ordered that he be discharged when he should have testified. Volume **III**, sections **1674**, **1675**.

Persons in contempt for declining to testify or obey a subpoena have frequently given their testimony and been discharged without arraignment before the House. Volume **III**, sections **1676–1682**.

A person whose arrest had been ordered for neglect to obey a subpoena having appeared and testified, the House arraigned him and then discharged him. Volume **III**, section **1687**.

Instances wherein witnesses arraigned for contempt and agreeing to testify have not been discharged until the testimony has been given. Volume **III**, section **1688**.

A witness being arraigned for contempt in refusing to answer a pertinent question asked by a committee, agreed, when arraigned, that he would answer if so ordered by the House. Volume **III**, section **1692**.

A witness arrested for contempt in refusing to answer promised to respond, and was thereupon discharged and ordered before the committee. Volume **III**, section **1694**.

(7) Of a Contumacious Witness.—Committed to Custody.

A witness have declined to answer a pertinent question before a select committee was arraigned before the House, and, persisting in contumacy, was committed. Volume **III**, section **1666**.

A recalcitrant witness, having remained obdurate when arraigned at the bar, was committed to custody. Volume **III**, section **1669**.

It is for the House and not the Speaker to determine whether or not a person arraigned for contempt shall be heard before being ordered into custody. Volume **III**, section **1684**.

(8) Of a Contumacious Witness.—Answer in Improper Form.

A witness arraigned for contempt, having in his answer questioned the power of the House, was permitted to file an amended answer, which was printed om full in the Journal. Volume **III**, section **1673**.

A witness having, when arraigned for contempt, submitted an answer disrespectful to the House, was ordered into custody for contempt. Volume **III**, section **1693**.

A person arraigned at the bar for contempt was permitted to amend his answer. Volume **III**, section **1696**.

(9) Of a Contumacious Witness.—Answer in Writing.

In an arraignment in 1877 the answer of the respondent, prepared by his counsel, was attested. Volume **III**, section **1696**.

Several persons arraigned at the bar together for contempt, made an answer in writing and signed but not sworn to. Volume **III**, section **1698**.

Being arraigned for contempt, George F. Seward presented a written statement signed by himself and counsel, but not attested, and this answer appears in full in the Journal. Volume **III**, section **1699**.

ARRAIGNMENT—Continued.**(9) Of a Contumacious Witness.—Answer in Writing—Continued.**

In the Wolcott case the respondent when arraigned presented two answers, each in writing, sworn and subscribed, one of which appears in the Journal, while the other does not. Volume **III**, section **1671**.

A witness having responded orally when arraigned for contempt it was required that the answer be in writing. Volume **III**, section **1684**.

The answers at the arraignment in the Woolley case were in writing and one was sworn to, but neither appears in the Journal. Volume **III**, section **1685**.

Instance wherein the answer of a person arraigned for contempt was in writing, but not sworn to and not recorded in the Journal. Volume **III**, section **1687**.

When arraigned the witness Kilbourn submitted a written, unsworn answer, which does not appear in the Journal. Volume **II**, section **1609**.

(10) Of a Contumacious Witness.—Oral Answer.

A witness arraigned for contempt answered orally and without being sworn. Volume **III**, section **1701**.

A witness arraigned at the bar of the House for contempt was permitted to answer orally. Volume **III**, section **1669**.

Witnesses arraigned for contempt have frequently answered orally and not under oath. Volume **III**, section **1688**.

An instance wherein a witness arraigned for contempt was allowed to make an unsworn oral statement, which in fact was an argument as well as an answer. Volume **III**, section **1689**.

In the Irwin case the respondent on being arraigned made an oral unsworn answer, which does not appear in the Journal. Volume **III**, section **1690**.

A witness arraigned at the bar for contempt and having already submitted his written answer was allowed by unanimous consent to make a verbal statement. Volume **III**, section **1686**.

(11) Of a Contumacious Witness.—Counsel for.

In the resolution ordering the arrest and arraignment of Whitney the House at the same time gave him permission to have counsel. Volume **III**, section **1667**.

A witness arraigned for contempt was accompanied by his counsel, but his request that he be heard by counsel was granted only to the extent of being permitted to respond in writing. Volume **III**, section **1696**.

The House denied to Kilbourn the services of counsel at his arraignment for contempt. Volume **II**, section **1608**.

In 1812 the opinion of the House seems to have been against permitting counsel to a contumacious witness arraigned at the bar of the House (footnote). Volume **III**, section **1666**.

ARRANGEMENTS.

Arrangements for the inauguration of the President elect and Vice President of the United States made by a joint committee of the two Houses. Volume **VI**, section **451**.

The concurrent resolution creating a joint committee authorized to arrange for the quadrennial inauguration ceremonies is considered sufficient authorization for the necessary appropriations for that purpose. Volume **VI**, section **452**.

Arrangements for the inauguration of the President of the United States, in 1933. Volume **VI**, section **453**.

ARREST.

(1) **Privilege of Members from.**

(2) **Of Members for absence.—Speaker's warrant.**

(3) **Of Members for absence.—Under new rule for call of the House.**

(4) **Of Members for absence.—General practice under the old rule.**

ARREST.—Continued.

- (5) **Of Members for absence.—Continuing orders.**
- (6) **Of Members for absence.—Excuses of.**
- (7) **Of Members for absence.—Their votes.**
- (8) **Of Members for absence.—In reference to end of the call.**
- (9) **Of Members for other reasons.**
- (10) **Of an officer of the House.**
- (11) **Of witnesses for contempt.—General practice.**
- (12) **Of witnesses for contempt.—Instances of.**
- (13) **Of witnesses for contempt.—Counsel of.**
- (14) **Of witnesses for contempt.—Discharge of.**
- (15) **Of other persons by House.**
- (16) **Of respondent in an impeachment.**
- (17) **Practice as to warrant and return.**
- (18) **Imprisonment.**

(1) Privilege of Members from.

The Constitution grants to Members privilege from arrest under certain conditions. Volume **III**, section **2670**.

The constitutional privilege of Members in the matter of arrest has been construed to exempt from subpoena during sessions of Congress. Volume **VI**, section **588**.

The words “treason, felony, and breach of the peace” in the constitutional guarantee of privilege have been construed to mean all indictable crimes. Volume **III**, section **2673**.

Interpretation of word “felony” as related to the privilege of a Member from arrest. Volume **III**, section **2676**.

On suggestion based on a newspaper report the House investigated the arrest and detention of a Member by authority of a court. Volume **III**, section **2676**.

A Member having been arrested and detained under mesne process in a civil suit, the House liberated him and restored him to his seat by the hands of its own officer. Volume **III**, section **2676**.

The House has decided that a Member arrested during vacation was entitled to discharge from arrest and imprisonment on the assembling of Congress. Volume **III**, section **2676**.

Jefferson’s discussion of the privilege conferred on Members by the Constitution, especially as to arrest, summons, etc. Volume **III**, section **2672**.

All criminal offenses are comprehended by the terms “treason, felony, and breach of the peace,” as used in the Constitution, excepting these cases from the operation of the privilege from arrest therein conferred upon Senators and Representatives during their attendance of the sessions of their respective Houses, and in going to and returning from the same. Volume **VI**, section **589**.

(2) Of Members for Absence.—Speaker’s Warrant.

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. Volume **IV**, section **3043**.

A motion directing the Speaker to issue his warrant for the arrest of absent Members being pending, a motion to dispense with further proceedings under the call was ruled out. Volume **IV**, section **3036**.

Form of warrant for the arrest of absent Members under the old rule for a call of the House (footnote). Volume **IV**, section **2982**.

Form of warrant issued under the new rule for a call of the house (footnote). Volume **IV**, section **3041**.

Form of resolution for the arrest of Members absent without leave. Volume **VI**, section **686**.

Form of resolution for directing the Sergeant at Arms to arrest absent Members. Volume **VI**, section **684**.

A Member having escaped from arrest during a call of the House it was held that he might not be brought back on the same warrant. Volume **IV**, section **3022**.

ARREST—Continued.**(2) Of Members for Absence.—Speaker's Warrant—Continued.**

A Member complaining that he had been wrongfully arrested during a call of the House the House ordered the Sergeant-at-Arms to investigate and amend the return of his writ. Volume **IV**, section **3021**.

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI**, section **681**.

The House having agreed to a motion directing the issuance of a warrant for arrest of absentees during proceedings to secure a quorum, the Speaker disregarded the direction and declined to sign the warrant. Volume **VI**, section **681**.

The Sergeant-at-Arms having made no report of this execution of an order of arrest and no excessive delay appearing, a motion summoning him to report was held not to be of privilege. Volume **III**, section **2618**.

A resolution authorizing the Sergeant-at-Arms to arrest absentees is not debatable. Volume **VI**, section **686**.

(3) Of Members for Absence.—Under New Rule for Call of the House.

The process of arresting absent Members under the new rule for a call of the House. Volume **IV**, section **3041**.

Proceedings of arrest of Members and arraignment at the bar, under section 4 of Rule XV, for securing attendance of a quorum. Volume **IV**, section **3044**.

Under the new rule for a call of the House a resolution of the House is not required to empower the Sergeant-at-Arms to bring in absentees. Volume **IV**, section **3049**.

On a call of the House under the new rule the Sergeant-at-Arms is required to detain those Members who are present and bring in absentees. Volume **IV**, sections **3045–3048**.

Instance wherein the House authorized the Speaker to issue warrant for the arrest of absentees Volume **VI**, section **638**.

A proposition to arrest members absent without leave is in order during proceedings to secure a quorum. Volume **VI**, section **685**.

Instance wherein the House ordered the arrest of absentees during proceedings to secure a quorum. Volume **VI**, section **686**.

Under a call of the House warrants for the arrest of Members may be issued by the Speaker pro tempore. Volume **VI**, section **688**.

The process of arresting absent Members under a call of the House. Volume **VI**, section **690**.

Under the rule for a call of the House, the Speaker issues warrants for arrest of absentees without further authorization from the House. Volume **VI**, section **702**.

(4) Of Members for Absence.—General Practice Under the Old Rule.

Form of resolution for directing the Sergeant-at-Arms to arrest absent Members (footnote). Volume **VI**, section **3018**.

Under the old rule for a call of the House an order of arrest for absent Members may be made after a single calling of the roll. Volume **IV**, sections **3015, 3016**.

On a call of the House the Sergeant-at-Arms is required to execute an order of arrest wherever the Members referred to may be found. Volume **IV**, section **3017**.

A proposition to arrest Members who absent themselves after answering on a call of the House is in order during continuance of the call. Volume **IV**, section **3018**.

A Member who appears and answers during a call of the House is not subject to arrest for absence. Volume **IV**, section **3019**.

Leave for a committee to sit during sessions of the House does not release its Members from liability to arrest during a call of the House. Volume **IV**, section **3020**.

For permitting a Member under arrest to escape, the Doorkeeper was arraigned at the bar of the House. Volume **I**, section **291**.

Those present on a call of the House may prescribe a fine as the condition on which an arrested Member may be discharged. Volume **IV**, sections **3013, 3014**.

ARREST—Continued.**(5) Of Members for Absence.—Continuing Orders.**

A quorum appearing on a call the House sometimes orders absent Members to be arraigned on the succeeding day. Volume **IV**, sections **3030, 3031**.

Less than a quorum may not order the arraignment of absent Members at a future meeting of the House. Volume **IV**, sections **3032–3035**.

Under proceedings of a call of the House, and sometimes by less than a quorum, the House has made an order of arrest which continued beyond that day's session. Volume **IV**, sections **3025–3029**.

Instance wherein the Sergeant-at-Arms reported at the bar of the House his proceedings under a continuing order of arrest. Volume **IV**, section **3017**.

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. Volume **III**, section **2617**.

(6) Of Members for Absence.—Excuses of.

A Member under arrest for absence may not, when called on for an excuse, question the authority of the House. Volume **IV**, section **3023**.

After the roll has been called for excuses and the House has ordered the arrest of those who are unexcused, a motion to excuse an absentee is in order when he is brought to the bar. Volume **IV**, section **3012**.

Pairs do not excuse from attendance or exempt from arrest under a call of the House. Volume **III**, section **3081**.

(7) Of Members for Absence.—Their Votes.

Members present in custody of the Sergeant-at-Arms for absence were permitted to vote on a motion to excuse another Member for a similar offense. Volume **V**, sections **5937–5940**.

The Speaker declined to assume the authority to deprive Members present in custody of the Sergeant-at-Arms of the right to vote. Volume **V**, section **5937**.

The former practice of presenting Members at the bar during a call of the House is obsolete, and Members now report to the Clerk and are recorded without being formally excused unless brought in under compulsion. Volume **VI**, section **684**.

(8) Of Members for Absence.—In Reference to End of the Call.

The motion to dispense with proceedings under a call is in order, although Members under arrest may not have had opportunity to make excuses. Volume **IV**, section **3039**.

A motion to dispense with proceedings under the call, having been once entertained, was ruled not to be in order again pending a motion for the arrest of absent Members. Volume **IV**, section **3037**.

A motion to dispense with proceedings under a call of the House is not in order pending a motion that the Sergeant-at-Arms take into custody absent Members. Volume **IV**, section **3029**.

(9) Of Members for Other Reasons.

After abandoning a proposition to expel, the House arrested and censured a Member for gross personalities aimed at another Member and for deception of the Speaker when the latter had proposed to prevent the utterances. Volume **II**, section **1251**.

A Delegate who had used insulting language in debate and declined to retract it was by order of the House arrested, brought to the bar, and censured by the Speaker. Volume **II**, section **1305**.

Proceedings when it is necessary to put a Member under arrest, or when on public inquiry matter arises affecting a Member. Volume **II**, section **1238**.

A committee asserted the power of the House to arrest and imprison recalcitrant Members in order to compel obedience to its summons. Volume **VI**, section **537**.

ARREST—Continued.**(10) Of an Officer of the House.**

The Clerk being arraigned and addressing the House in his defense, the Journal merely records the fact. Volume **I**, section **287**.

For misappropriation of funds the House arrested its Clerk and arraigned him at the bar. Volume **I**, section **287**.

The Clerk being arraigned to answer charges leave was given him to address the House. Volume **I**, section **287**.

An officer of the House being arraigned for neglect of duty it was voted that he might answer orally. Volume **I**, section **291**.

The arrest by a civil magistrate of an officer of the House for an act performed in the service of the House was deemed a high breach of privilege. Volume **II**, section **1605**.

(11) Of Witnesses for Contempt.—General Practice.

An early discussion as to form of resolution ordering the arrest of a contumacious witness. Volume **III**, section **1714**.

A warrant for the arrest of a recalcitrant witness may issue without previous subpoena where service on the witness is a question of doubt. Volume **VI**, section **348**.

The same presumption of regularity attaches to action by the Senate in directing the arrest of a recusant witness that applies to the proceedings of the courts. Volume **VI**, section **349**.

In ordering the arrest of a witness for contempt the House embodied in a preamble the report of the committee showing the alleged contempt. Volume **III**, section **1701**.

A subpoena having been served by a deputy sergeant-at-arms a certificate of his appointment should accompany a report requesting arrest of the witness for contempt. Volume **III**, section **1701**.

A witness having declined to attend and produce documents, the Senate by resolution ordered his arrest. Volume **VI**, section **339**.

The House held valid a report transmitted by telegraph from an investigating committee, and ordered the arrest of a person for contempt on the strength of it. Volume **III**, section **1695**.

The action of a subcommittee in arresting a recalcitrant witness having been criticized in a letter addressed to the chairman, the committee reported the proceedings to the House, with recommendations for an investigation. Volume **VI**, section **531**.

In providing for the arrest of a recalcitrant witness it is unnecessary for the Senate in inditing the resolution to determine whether the testimony sought and refused was pertinent to the inquiry. Volume **VI**, section **347**.

It was not thought necessary that mileage and fees should be tendered a witness before arresting him for contempt in declining to answer. Volume **III**, section **1701**.

The order of arrest sometimes specifies that it shall be made either by the Sergeant-at-Arms or his special messenger. Volume **III**, section **1688**.

A question as to issuing a warrant for the arrest of a person who has avoided a summons by seeking a foreign country. Volume **III**, section **1805**.

Form of arraignment adopted in the Wolcott case. Volume **III**, section **1671**.

Form of arraignment adopted in the case of Williamson. Volume **III**, section **1673**.

The witness Kilbourn was arraigned without previous adoption of a form. Volume **II**, section **1608**.

A witness contumacious before a committee is not given a second opportunity in the committee before the House orders his arrest for contempt. Volume **III**, section **1671**.

A joint committee has ordered a contumacious witness into custody. Volume **III**, section **1720**.

The House ordered that Whitney, under arrest for contempt, should be furnished with a copy of the report as to his alleged contempt before arraignment. Volume **III**, section **1667**.

A witness arraigned at the bar for contempt, and having already submitted his written answers, was allowed by unanimous consent to make a verbal statement. Volume **III**, section **1686**.

ARREST—Continued.**(11) Of Witnesses for Contempt.—General Practice—Continued.**

A witness having, when arraigned for contempt, submitted an answer disrespectful to the House, he was ordered into custody for contempt. Volume **III**, section **1693**.

Instance wherein the answer of a person arraigned for contempt was in writing, but not sworn to, and not recorded in the Journal. Volume **III**, section **1687**.

An instance wherein a person was arraigned at the bar without a previous order of the House fixing the form of procedure. Volume **III**, section **1689**.

The respondent retired while the House deliberated on the mode of procedure in a case of contempt. Volume **III**, section **1668**.

A person arraigned at the bar of the House must be dealt with in strict accordance with the terms of the resolution ordering his arrest and arraignment. Volume **II**, section **1635**.

A witness being arraigned for contempt in refusing to answer a pertinent question asked by a committee, agreed, when arraigned, that he would answer if so ordered by the House. Volume **III**, section **1692**.

A witness having refused to answer certain questions propounded to him by a special committee of the Senate duly authorized to investigate the subject of inquiry, the Senate issued a warrant for this arrest and certified its committee's report of the circumstances to the district attorney. Volume **VI**, section **346**.

In 1860 a proposition to arrest a Government official for refusing to produce a paper which he declared to be entirely private in its nature was abandoned after discussion. Volume **III**, section **1683**.

Instances wherein the House has ordered arrests which do not appear to have been made. Volume **III**, sections **1707–1711**.

(12) Of Witnesses for Contempt.—Instances of.

In 1837, for refusing to obey the subpoena of a committee, Reuben M. Whitney was arrested and tried at the bar of the House. Volume **III**, section **1667**.

In 1858 the House imprisoned John W. Wolcott for contempt in refusing, as a witness, to answer a question which he contended was inquisitorial, but which the House held to be pertinent. Volume **III**, section **1671**.

In 1857 the House arrested and arraigned at its bar Joseph L. Chester, a contumacious witness. Volume **III**, section **1670**.

In 1858 the House arrested and arraigned J. D. Williamson for contempt in declining to respond to a subpoena. Volume **III**, section **1673**.

James W. Simonton, a witness before a House committee, was arrested and arraigned at the bar for declining to answer a material question. Volume **III**, section **1669**.

Various instances of arrest for contempt of the Senate. Volume **III**, sections **1703–1706**.

A witness having refused to testify before a subcommittee was arrested and detained in custody. Volume **VI**, section **531**.

(13) Of Witnesses for Contempt.—Counsel of.

In the resolution ordering the arrest and arraignment of Whitney the House at the same time gave him permission to have counsel. Volume **III**, section **1667**.

A witness arraigned for contempt was accompanied by his counsel, but his request that he be heard by counsel was granted only to the extent of being permitted to respond in writing. Volume **III**, section **1696**.

In an arraignment in 1877 the answer of the respondent prepared by his counsel was attested. Volume **III**, section **1696**.

A person having been arrested for contempt, a communication from his counsel was laid before the House. Volume **III**, section **1695**.

(14) Of Witnesses for Contempt.—Discharge of.

Persons in contempt for declining to testify or obey a subpoena have frequently given their testimony and been discharged without arraignment before the House. Volume **III**, sections **1676–1682**.

Arrest—Continued.**(14) Of Witnesses for Contempt.—Discharge of—Continued.**

- A witness having promised when arraigned to testify before a committee, the House gave him permission to do so, but did not discharge him from custody until the committee reported that he had purged himself. Volume **III**, section **1701**.
- A person who had failed to respond to a summons was arrested and arraigned, and his excuse being satisfactory the House ordered that he be discharged when he should have testified. Volume **III**, sections **1674**, **1675**.
- A person whose arrest had been ordered for neglect to obey a subpoena having appeared and testified, the House arraigned him and then discharged him. Volume **III**, section **1687**.
- A witness being ordered by the House to answer a pertinent question before a committee was then removed from the bar, and later, on report of the committee that he had answered, was discharged. Volume **III**, section **1692**.
- The House having ordered the arrest of a person who had failed to obey a subpoena from a committee, and who later made explanation, an order was passed discharging him without arraignment. Volume **III**, section **1691**.
- A witness arrested for contempt in refusing to answer promised to respond, and was thereupon discharged and ordered before the committee. Volume **III**, section **1694**.
- At the end of a Congress the House, by a general order, directed the discharge of all persons in custody for contempt. Volume **III**, section **1698**.

(15) Of Other Persons by House.

- A person who had assaulted a Member on his way to the House, but at a place distant therefrom, was arrested on warrant of the Speaker and arraigned at the bar. Volume **II**, section **1626**.
- After debate the House ordered a warrant to issue for arrest of a person who had violated its privileges by assaulting a Member. Volume **VI**, section **332**.
- A citizen having assaulted a Member for words spoken in debate, the House arrested, arraigned, and censured him. Volume **VI**, section **333**.
- On the evidence of Members, who in their places gave information of attempts to bribe them, the House issued an order for the arrest of the person charged with the offense. Volume **II**, section **1599**.
- A citizen having attempted to bribe a Member the House arrested, tried, and punished him. Volume **II**, section **1606**.
- A person who had wounded one of the police of the Capitol was, by the House, committed to the custody of the Sergeant-at-Arms while a committee was instructed to investigate. Volume **II**, section **1561**.
- A spectator in the gallery having created disturbance, the Speaker ordered his arrest. Volume **II**, section **1651**.
- The House arrested and arraigned at the bar a newspaper reporter for alleged statements reflecting on the integrity of a Member. Volume **II**, section **1635**.
- The supposed author of an anonymous newspaper charge against a Member not named was arrested and interrogated at the bar of the House. Volume **II**, section **1633**.
- The Senate committed John Nugent for contempt in publishing a treaty pending in executive session. Volume **II**, section **1640**.
- William Duane, for a publication tending to defame the Senate, was found guilty of contempt and imprisoned by order of that body. Volume **II**, section **1604**.
- Form of proceedings at the trial of William Duane at the bar of the Senate. Volume **II**, section **1601**.
- To obviate the necessity of clearing the galleries the Senate authorized the Sergeant-at-Arms to arrest any person disturbing the proceedings. Volume **V**, section **17311**.
- By direction of the House, the Speaker issued and the Sergeant-at-Arms served a warrant for the arrest of a person charged with contempt of the House. Volume **VI**, section **532**.

Arrest—Continued.**(16) Of Respondent in an Impeachment.**

It was concluded by a Senate committee in Pickering's impeachment that the Senate had no power to take into custody the body of the accused. Volume **III**, section **2324**.

Upon the impeachment of William Blount the Senate took him into custody and required bonds for his appearance, and informed the House thereof. Volume **III**, section **2296**.

A Senator impeached by the House of Representatives was arrested by order of the Senate and released only on surety. Volume **II**, section **1263**.

(17) Practice as to Warrant and Return.

Arrests are made by the Sergeant-at-Arms on authority of a warrant duly signed, attested, and sealed, and on performing the duty that officer makes return on the warrant. Volume **II**, section **1599**.

The Speaker has authority to issue a warrant of arrest only by order of the House. Volume **I**, section **287**.

The Clerk being incapacitated, the House authorized the chief assistant clerk to attest a warrant and exercise the other functions of the Clerk. Volume **I**, section **287**.

Form of warrant and return in case of arrest of a witness for contumacy. Volume **III**, section **1671**.

The Sergeant-at-Arms having arrested Williamson by order of the House made his return verbally. Volume **III**, section **1673**.

Verbal return of the Sergeant-at-Arms on presenting a witness under arrest for contempt. Volume **III**, section **1697**.

Form of warrant signed by the President of the Senate for taking William Duane into custody. Volume **II**, section **1604**.

In the Wolcott case the House provided that the resolution ordering him to be taken into custody should be a sufficient warrant. Volume **III**, section **1671**.

Discussion of the power of the House to issue a general warrant. Volume **II**, section **1606**.

A warrant of commitment "need not set forth the particular facts which constitute the alleged contempt." Volume **II**, section **1640**.

(18) Imprisonment.

The House declined to commit to custody an alleged contumacious witness until he had been arraigned and answered at the bar of the House. Volume **III**, section **1689**.

The House having ordered a person into custody "until he shall purge himself of said contempt" he was, on purging himself, discharged without further order. Volume **III**, section **1684**.

A discussion as to the power of the House to imprison for a period after the adjournment of the session. Volume **II**, section **1629**.

No court "may inquire directly into the correctness or propriety" of a commitment by either House, or discharge the prisoner on habeas corpus. Volume **II**, section **1640**.

A person arrested by order of the House secured a writ of habeas corpus and was released on his own recognizance. Volume **VI**, section **532**.

The House having considered and determined the disposition of a person in custody, a further proposition relating thereto was held not to be privileged. Volume **III**, section **1715**.

A resolution relating to the discharge of a person in custody for contempt is a matter of privilege. Volume **III**, section **1672**.

Arsenals.

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufactured of small arms, equipment, etc. Volume **IV**, sections **4045–4047**.

Art.

No work of art not the property of the Government shall be exhibited in the Capitol and no room shall be used for private studios without permission of the Joint Committee on the Library. Volume **V**, section **7312**.

ART—Continued.

The rules give to the Joint Committee on the Library jurisdiction “touching the Library of Congress, statuary, and pictures.” Volume **IV**, section **4337**.

The acceptance of works of art for the Capitol and control of the Botanic Garden are vested in the Committee on the Library. Volume **IV**, section **4337**.

Bills relating to the statues, paintings, and other works of art have been reported by the House branch of the Joint Committee on the Library. Volume **VII**, section **2082**.

The arrangement of the Hall of the House and Statuary Hall, and the acceptance of works of art to be placed therein are subjects within the jurisdiction of the House branch of the Joint Committee on the Library. Volume **VII**, section **2083**.

ARTHUR, CHESTER A., of New York, Vice-President.

Decision on question of order relating to—Casting vote. Volume **V**, section **5975**.

ASSASSINATION.

An election case having been suspended by the assassination of contestant the House directed the Elections Committee to inquire and report as to further proceedings. Volume **II**, section **1018**.

ASSAULTS.

- (1) **On Members for words spoken in debate.**
- (2) **On Members on their way to the House, or while it is in session.**
- (3) **Between Members in the House and elsewhere.**
- (4) **Between Members in Committee on the Whole.**
- (5) **On a Senator by a Member.**
- (6) **Between Senators in the Senate.**
- (7) **General cases of.**

(1) On Members for Words Spoken in Debate.

For assaulting a Member for words spoken in debate Samuel Houston was censured by the House in 1832. Volume **II**, sections **1616–1619**.

After debate the House ordered a warrant to issue for arrest of a person who had violated its privileges by assaulting a Member. Volume **II**, section **1616**.

The complaint of a Member that he had been assaulted for words spoken in debate was made in the form of a letter to the Speaker, accompanied by an affidavit. Volume **II**, section **1616**.

It being doubtful whether or not an assault on a Member had been for words spoken in debate no action was taken. Volume **II**, section **1620**.

For attempted intimidation and assault upon a Member, A. P. Field was arrested and censured at the bar of the House for breach of privilege. Volume **II**, section **1625**.

The House is empowered under the Constitution to punish as a contempt against it a breach of its privileges committed by assault on one of its Members for words spoken in debate. Volume **VI**, section **332**.

A citizen having assaulted a Member for words spoken in debate, the House arrested, arraigned, and censured him. Volume **VI**, section **333**.

After debate the House ordered a warrant to issue for arrest of a person who had violated its privileges by assaulting a Member. Volume **VI**, section **332**.

Assault committed on a Member for words spoken in debate constitutes a contempt of the House in which he is then sitting although the words may have been spoken in a prior House. Volume **VI**, section **332**.

(2) Members on Their Way to the House, or While it is in Session.

For assaulting a Member returning to the House from an absence on leave Patrick Woods was committed for a term extending beyond the adjournment of the session, but not beyond the term of the existing House. Volume **II**, section **1628**.

ASSAULTS—Continued.**(2) On Members on Their Way to the House, or While it is in Session—Continued.**

A Member having in a letter to the Speaker complained that he had been assaulted on his way to attend the House, the matter was held to be a question of privilege. Volume **II**, section **1626**.

An assault upon a Member within the walls of the Capitol, when the House was not in session, was deemed a breach of privilege, although it arose from a cause not connected with the Member's representative capacity. Volume **II**, section **1624**.

(3) Between Members in the House and Elsewhere.

The parliamentary law as to treatment of Members between whom warm words or an assault have passed. Volume **II**, section **1641**.

While the House was investigating a difficulty between two Members it declared that it would be considered a high breach of privilege if either should enter into a personal contest pending decision. Volume **II**, section **1642**.

The attack of Matthew Lyon on Roger Griswold in 1798. Volume **II**, sections **1642**, **1643**.

After their affray on the floor Messrs. Lyon and Griswold were required to pledge themselves before the Speaker to keep the peace during the session. Volume **II**, section **1643**.

From Members between whom warm words or an assault has passed on the floor the House has exacted apologies. Volume **II**, sections **1646**, **1647**.

The House has frequently allowed personal difficulties arising in debate, and even violent assaults, to pass without notice, the Members concerned making apologies either personally or through other Members. Volume **II**, sections **1658–1662**.

The intervention of other business does not prevent the House from taking up and dealing with a breach of privilege (footnote). Volume **II**, section **1647**.

The House, after declining to expel, censured a Member for contempt in assaulting another Member for words spoken in debate. Volume **II**, section **1656**.

An assault by one Member on another for words spoken in debate was made the subject of an investigation by a select committee. Volume **II**, section **1655**.

Three Members of the House were ordered to the bar of the House to answer for a contempt of privilege in being present at and assisting in an assault between two other Members. Volume **II**, section **1654**.

A resolution for the investigation of an alleged assault of one Member on another at a place outside of the Capitol was admitted as of privilege. Volume **II**, section **1645**.

A committee having general authority to examine and recommend in relation to an assault between two Members was held to have authority also to recommend censure of other Members implicated. Volume **II**, section **1656**.

(4) Between Members in Committee of the Whole.

For an assault during debate in Committee of the Whole, the House, after expulsion had been suggested, exacted apologies from two Members. Volume **II**, section **1657**.

Members who had committed an assault in Committee of the Whole apologized to the House, although the chairman of the committee had made no report of the occurrence. Volume **II**, section **1652**.

Two Members having assaulted one another in Committee of the Whole, the House appointed a committee of inquiry, although the two Members had severally explained to the House and reconciled their quarrel. Volume **II**, section **1651**.

Warm words and an assault having passed between two Members in Committee of the Whole, the House required them to apologize "for violating its privileges and offending its dignity." Volume **II**, section **1616**.

For an assault during debate in Committee of the Whole, the House, after expulsion had been suggested, exacted apologies from a Member. Volume **II**, section **1650**.

Two Members having created disorder in Committee of the Whole by an encounter, the Speaker took the chair and restored order, and the House immediately referred the subject to a select committee. Volume **II**, section **1650**.

ASSAULTS—Continued.**(4) Between Members in Committee of the Whole—Continued.**

Two Members having assaulted one another in Committee of the Whole, the House declined to permit the committee to resume its sitting until a committee to investigate the facts of the disorder had been appointed. Volume **II**, section **1649**.

Two Members having created disorder in Committee of the Whole, the Speaker took the chair and restored order, whereupon the committee rose and the House adjourned before taking action on the disorder. Volume **II**, section **1657**.

An assault occurring between two Members in Committee of the Whole, the committee rose and the Speaker restored order before receiving the report. Volume **II**, section **1652**.

An apology of Members for an assault committed in Committee of the Whole was not placed in the Journal. Volume **II**, section **1652**.

(5) On a Senator by a Member.

A Member of the House having assaulted a Senator for words spoken in debate, the Senate examined the breach of privilege and transmitted the report to the House for action. Volume **II**, section **1622**.

The House censured a Member for being concerned in an assault on a Senator. Volume **II**, section **1621**.

The House failed to agree to a resolution to expel a Member for assaulting a Senator. Volume **II**, section **1621**.

A proposition relating to an assault on a Senator by a Member was held in order as a question of privilege. Volume **II**, section **1621**.

(6) Between Senators in the Senate.

Reference to an affray between two Senators on the floor of the Senate in 1850. Volume **II**, section **1664**.

For unparliamentary language and an assault two Senators were declared in contempt, and later were censured. Volume **II**, section **1665**.

(7) General Cases of.

The President, by message, complained to the House that his Secretary immediately after delivering a message to the House had been assaulted in the Capitol. Volume **II**, section **1615**.

An assault upon the clerk of a committee within the walls of the Capitol was held to be a breach of privilege. Volume **II**, section **1629**.

One reporter having assaulted another in the presence of the House, punishment for breach of privilege was inflicted. Volume **II**, section **1630**.

A person who had wounded one of the police of the Capitol was, by the House, committed to the custody of the Sergeant-at-Arms, while a committee was instructed to investigate. Volume **II**, section **1651**.

ASSAY OFFICES.

Subjects relating to mints and assay offices are within the jurisdiction of the Committee on Coinage, Weights, and Measures. Volume **IV**, section **4094**. Volume **VII**, section **1798**.

An appropriation for maintenance of an assay office permanently established by law was held to be in order on an appropriation bill. Volume **VII**, section **1269**.

ASSEMBLIES.

The Speaker and President of the Senate have discretion as to the use of the Capitol grounds for processions, assemblies, music, and speeches on occasions of national interest. Volume **V**, section **7312**.

ASSENT.

As to the power of a State to recall its assent to a constitutional amendment. Volume **V**, section **7042**.

ASSIGNMENT OF ROOMS.

The control of the Speaker extends only to the “unappropriated rooms” of the House wing, and the House itself controls the disposition of the other rooms. Volume **V**, sections **7273–7281**.

ATHERTON.

The Senate election case of Charles G. Atherton, of New Hampshire, in the Thirty-third Congress. Volume **V**, section **6689**.

ATKINSON.

The West Virginia election case of *Atkinson v. Pendleton* in the Fifty-first Congress. Volume **II**, sections **1020, 1021**.

AT LARGE.

The House in 1842 declared entitled to seats Members elected at large in several States, although the law of Congress required election by districts. Volume **I**, section **310**.

ATTACHÉS

An appropriation for commercial attachés to be appointed by the Secretary of Commerce was held by the House to be authorized by the organic law creating the Department of Commerce. Volume **VII**, section **1257**.

ATTACHMENT.

The Senate and not the Presiding Officer decides on a motion for attachment of a witness. Volume **III**, sections **2152, 2153**.

The party impeached at the bar of the Lords not appearing, his goods may be arrested, and they may proceed. Volume **III**, section **2116**.

Form of order for attachment of delinquent witness. Volume **VI**, section **486**.

A dilatory witness who failed to appear until after attachment had been ordered was admonished by the President pro tempore. Volume **VI**, section **486**.

The issuance of process for the attachment of a witness was held not to bar the admission of depositions by such witness pending his arrival. Volume **VI**, section **523**.

ATTENDANCE.

A smaller number than a quorum may adjourn from day to day and compel the attendance of absent Members. Volume **IV**, section **2980**.

Form and history of Rule **VIII**, section **1**, relating to attendance and voting of Members. Volume **V**, section **5941**.

A motion directing the Speaker to issue warrant for arrest of absentees may be entertained during proceedings to secure the attendance of a quorum. Volume **VI**, section **681**.

Although the fact of election was unquestioned, a Senator-elect delayed attendance until credentials were received. Volume **VI**, section **157**.

Pairs do not excuse from attendance or exempt from arrest under a call of the House. Volume **VII**, section **3081**.

The recording of members of a committee as present on their telephonic request does not constitute attendance and physical presence is necessary to make a quorum for the transaction of business. Volume **VI**, section **345**.

The Committee on the Judiciary has reported bills relating to the meeting of Congress, the attendance of Members, and their appointment to incompatible offices. Volume **IV**, section **4077**.

The Commons attend generally in impeachment trials, but not when the Lords consider the answer on proofs, or determine judgment. Volume **III**, section **2027**.

In 1830, during the impeachment trial of Judge Peck, the House reconsidered its decision to attend the trial daily. Volume **III**, section **2028**.

The Commons attend impeachment trials in Committee of the Whole, or otherwise, at discretion, and appoint managers to conduct proof. Volume **III**, section **2027**.

The presence of the Commons is considered necessary at the answer and the judgment in impeachment cases. Volume **III**, section **2027**.

ATTENDANCE—Continued.

The managers were excused from attendance on the sessions of the House during the course of the trial in the Senate. Volume **VI**, section **521**.

ATTEST.

The Clerk being incapacitated, the House authorized the chief assistant clerk to attest a warrant and exercise the other functions of the Clerk. Volume **I**, section **287**.

In the Kilbourn case the subpoena was attested for the Clerk by deputy. Volume **II**, section **1608**. The House directed the return of a Senate bill not attested by the Secretary. Volume **IV**, section **3426**.

The law for transcribing and attestation of testimony in an election case. Volume **I**, section **702**. Form of subscription of witness to testimony and attestation thereof in examination preliminary to the Peck trial. Volume **III**, section **2041**.

The article of impeachment in the Peck case was signed by the Speaker and attested by the Clerk. Volume **III**, section **2370**.

The articles impeaching President Johnson were signed by the Speaker and attested by the Clerk. Volume **III**, section **2420**.

The articles of impeachment, signed by the Speaker and attested by the Clerk, after being read by chairman of the managers, were handed to the Secretary of the Senate. Volume **VI**, section **501**.

ATTORNEY GENERAL.

The investigation of charges against Attorney General Harry M. Daugherty. Volume **VI**, section **536**.

Instance wherein a Member rising to a question of privilege, impeached the Attorney General on his responsibility as a Member of the House. Volume **VI**, section **536**.

There is not constitutional objection to the election of a Member to the Board of Managers of the Soldiers' Home, although in the opinion of the Attorney General such election appears contrary to public policy. Volume **VI**, section **63**.

Opinion of the Attorney General on the law authorizing the franking of public documents. Volume **VI**, section **221**.

Opinion of the Attorney General as to construction of the statute forbidding Members being interested in contracts. Volume **VI**, section **225**.

The President, in the opinion of the Attorney General, has the power to approve bills after adjournment sine die of the Congress which has passed them, but within 10 days (Sundays excepted) after they have been presented to him. Volume **VII**, section **1088**.

Two unnamed Members having been implicated in a report by a Federal grand jury, the House directed the Attorney General to transmit the names of the Members implicated and the nature of the charges against them. Volume **VI**, section **402**.

The House, when advised by the Attorney General that certain charges against Members were under investigation by the Department of Justice, did not insist on its request for information relative thereto. Volume **VI**, section **402**.

A decision by the House to procure from the Attorney General certain information is not such disposition as to preclude a proposition to secure the same information through one of its own committees. Volume **VI**, section **403**.

A witness in the custody of the Sergeant at Arms having procured a writ of habeas corpus, the Senate requested the President to direct the Attorney General to defend the suit. Volume **VI**, section **339**.

AUDITING.

The rule gives to the Committee on Accounts jurisdiction of subjects touching the expenditure of the contingent fund of the House and the auditing and settling of all accounts that may be charged therein by order of the House. Volume **IV**, section **4328**.

AUTHORIZATION. See "Appropriations."

AWARDS.

Awards of money to foreign nations in pursuance of treaties for the adjustment of claims or as acts of grace have been reported by the Committee on Appropriations. Volume **IV**, section 4050.

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